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- DISTRIBUTORS?
- RETAILERS?
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UP FRONT

IS THERE LIFE AFTER SUCCESS?

A list of casualties will emerge in due time, but already stories of suffering sales — from Marvel on down — are circulating among industry insiders, and widespread cancellations from publishers large and small are well on the way.

Odd things happen when panic sets in, such as orders for material obviously in demand being inexplicably reduced by retailers in response to over-extended orders in other areas. For example, during that long-ago Black September, we actually received reduced orders for what should logically have been (up to that time) our best-selling issue ever — COMICS INTERVIEW #6, spotlighting the never-to-be-seen **George Perez** JLA/AVENGERS crossover that had just been killed. That issue went on to prove me right by becoming one of our all-time best sellers, going through two more printings as a Special Edition and, ultimately, yet another edition as the lead feature in our COMICS INTERVIEW COSMIC CROSS-OVERS SUPER SPECIAL.

The demand was there — the retailer orders weren't.

I guess this is what has never made sense about retailer ordering patterns. When there are lots of hot new releases retailers often cut their orders on regular long-standing titles to buy more of what's "hot" that month. But in so doing, they lose the steady, month-after-month sales built up over years by established publications such as COMICS INTERVIEW. Sales that are the bread and butter of the industry.

So if your retailer isn't carrying enough of INTERVIEW — or any other comic you like — let him know, loudly. Better yet, support the stuff you like and be certain to get every issue by subscribing. As I've always said, it isn't the over-hyped, wildly-speculated massive sellers that are tomorrow's valuable collector's items, it's limited-circulation stuff such as COMICS INTERVIEW, often featuring covers and original art by the best in the business, unavailable anywhere else at any price.

COMICS INTERVIEW gives you your money's worth where it really counts, in breadth, substance and content.

Accept no substitutes — and no excuses from your retailer or distributor.

-Dave

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the big collapse in direct sales comics, as examined from another angle by battle-scarred contrarians who refuse to knuckle under to the self-serving "common wisdom" of the status quo — you won't see *this* in your distributor's mag-a-log!

The commentators:

TODD McFARLANE
publisher, creator and retailer all rolled into one

RHYAN SCORPIO-RHYS
independent small publisher of visual assault comics

DOUG WHEELER
mainstream and cutting edge writer, from swamp thing *to* negative burn

BRIAN MURRAY
once and future retailer

from the very pinnacle of the field to the front lines, an array of parties affected by newly-dictated distribution policies that may prove the death of direct-sales comics

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"They made a panic call . . . without thinking

COMICS

Last Christmastime as the latest of the comics industry's cyclical busts was gathering steam (I've heard it called the Speculator Bust and the Gimmick Bust and the Big Bloody Bust and a few other things —please, someone let me know when we reach a consensus), I took a look around, took stock of the situation. At that time we knew certain publishers would be closing down, and some retailers had already gone under and others had their going-out-of-business sales under way — this after a steady deflationary trend had been underway for months, in a season which any other year would have engendered at least a temporary rebound. It didn't look good; it didn't look like it would level off for some time. And at that time my hope was that whenever it finally played out it wouldn't have claimed too many casualties, that Dark Horse wouldn't have a tombstone next to Pacific, that Capital City wouldn't have a tombstone next to Glenwood, that the presses at Ronald's wouldn't be silently gathering dust.

Then in the wee hours New Year's Day morning my wife woke me from a deep winter's sleep to let me know she had gone into labor, and my attention was pretty much diverted away from comics from that moment. Oh, I kept tabs on a few things, checked the rumor mill from time to time, mourned the loss of Jack Kirby, the loss of Jim (T.M. Maple) Burke, and the loss of Don Thompson; but basically I had home and hearth needing my immediate attention, and as I write this it's been less than two weeks since I popped my head up to take another look around. My goodness, what the industry has been up to!

Then, a week ago as I write, David Anthony Kraft calls, and he really goes a bit far stroking my ego that I can pull something like this off, but hey, it sounded like an interesting challenge, so I took the assignment. It was only later that I realized what I might be able to do with it.

The comics industry stands, now, at a crossroads. The decisions made through the end of this year, the policies enacted and the practices put into effect, could well determine the course comics take for the next 20 years. We have a viable market that can weather any storm provided it doesn't destroy itself, which it is entirely capable of doing. It is an hourglass structure with the creative community on one end, followed by the publishers, then distribution in the thin center, followed by retailers, to finally the fans on their end. The sand of product flows one way through the hourglass; the sand of revenue flows the other way. And guess what — the hourglass is not the big picture; it's only a part of the big picture.

And the ones who actually care about the big picture are those of us in that hourglass.

And it is practically impossible to see the big picture when you are part of it.

And what we need right now, more than ever before, is to take in the big picture and see what it shows us.

Here, in the following pages, we have a cross-section of guys from various points in the hourglass — a handful of us just trying to scratch the surface of the big picture. The big picture is not going to come from us; we are just five guys shooting off our mouths. The big picture is all of us combined, all of us in that hourglass, and the best each of us individually can do to bring the big picture into focus is throw our perspectives into the mix.

COMMUNICATE, DAMMIT!!!

Share your views, your ideas about what should be done and how it should be done. Write to COMICS INTERVIEW about your thoughts. Write to CBG and COMICS JOURNAL and DARK HORSE PRESENTS and Capital City and Diamond Distribution and Rip Off Press and Marvel and DC and Image and to whoever, to everyone, and talk with your retailer and your friends and even your enemies.

Let's get to work . . .

Visual Assault Omnibus, Stephenwolfe, Lord Bell, Mindset, Loam, Meseo, Nice! and Improbable Impact TM & ©1994 Rhyan Scorpio-Rhyn/Visual Assault Press. / Alan Dean Foster's MIDWORLD, characters & concepts TM & ©1994 Thranx, Inc.; art ©1993 Mike Hoffman. Classics Desecrated TM & ©1993 Doug Wheeler.

# of some of the further ramifications."

CRISIS!

DARREL L. BOATZ: *What we have set up here is a kind of comics-industry round-table discussion. Right now, we have three representatives from various aspects of the industry, and we're supposed to be joined by a fourth. So, let's go around and introduce yourselves. From the creative side, go ahead, Doug.*

DOUG WHEELER: I'm **Doug Wheeler.** I used to write SWAMP THING for a couple of years. I'm currently working on "Classics Desecrated," which is in NEGATIVE BURN every month, and I'm working on some graphic novels for NBM, fairy-tale graphic novels.

DARREL: *And on the publishing side?*

RHYAN SCORPIO-RHYS: **Rhyan Scorpio-Rhys,** Visual Assault Comics Press. I'm the president/owner. We currently put out an anthology black-and-white book called VISUAL ASSAULT OMNIBUS, which used to run bimonthly but it's now running quarterly because we've increased the size of it from 32 pages to 64.

DARREL: *And coming in for retail?:*

BRIAN MORRIS: I'm **Brian Morris.** For the last couple of years my wife, Carol, and I have had a comic-book operation called C-B Comics Plus. We mostly do conventions and shows and flea markets and such, traveling every week in an area from Indianapolis, Indiana, to Peoria, Illinois. We are also advisors to the OVERSTREET COMIC-BOOK MONTHLY, and we have in the past written and published and drawn and whatevered small-press comics that did get national distribution throughout North America — so I am sympathetic to all levels of the comics industry.

DARREL: *Okay. To kick things off: In a letter to publishers dated January 6, 1994, Capital City Distribution announced some new policies — among them a cancellation fine of $500 and a resolicitation fee of $750.*

DOUG: Correct, although that's only $250 in addition to the cancellation fee; it's not $1250 altogether. *(Phone beeps.)*

DARREL: *Hello?*

TODD McFARLANE: Hello, this is **Todd McFarlane,** publisher, writer, artist and all-around troublemaker. *(Laughter.)*

BRIAN: I thought that was our job.

TODD: No, that's *my* job. *(Laughter.)*

DARREL: *We were just getting started with the January letter from Capital that announced the cancellation fine and the resolicitation fee. Then they backed off a bit in a March 15 letter announcing slightly different policies but maintaining the fine and fee as previously announced. Does anybody* not *have a problem with this?*

TODD: I think we've all got a problem with it.

RHYAN: Plenty of problems.

TODD: We all have a problem with it from the big guy to the little guy — by "little guy" I mean the small publishers, and I think they should be more angry than I am. We're getting into a thing where behind closed doors, might makes right — you know what I mean. In my position I'm able to fight certain battles, argue for certain things, and I can get away with a lot more things, because ultimately I can basically do to them what they do to us. But I know that through history, they've muscled the other way with the small-press guys, who can't afford not to have what distribution from Diamond or Capital that they have. They end up getting the short end of the stick.

DOUG: Well, the major objection I have with this is that the $500 fee is way too much for the small press. The small publishers — a lot of their books do not make a *profit* of $500, and a lot of the books they solicit won't get retailer support. Say you solicit a book and it only gets orders of 200 copies from all distributors combined. Well, obviously if you try to publish that book you're going to lose money doing so, and you're going to anger your printer because now you owe the printer money. So, you should be able — and we were able prior to these new rules — to simply cancel it and say there weren't enough orders. Now we're going to be hit with this $500 fee, one

Kim Hagen & Steve Smith, respectively. Art for all other characters TM Doug Wheeler and ©1994 by Bill Jaseka, P. Craig Russell and respective artists. Spawn character, art & logo TM & ©1994 Todd McFarlane Productions, Inc.

"$500 fee: You should be able to simply

cancellation can eat up the profit from four other books and maybe even put us in the hole.

I can understand their having to do *something* to rein in a lot of this lateness, but there's two different types of cancellations: there's the cancellation where you didn't get enough orders; it's not profitable so you just cancel it. And there's the cancellation because you didn't have the book ready when you said you would. That *is* the fault of the publishers and/or the creators, and I think that *should* be penalized in *some* fashion. But it should be equalized, because $500 to Image Comics or Marvel Comics or DC Comics is not the same as $500 to Fantagraphics or Rip Off Press. It would be much more fair if they would simply, say, charge a couple cents per copy that they ordered, then if you had 200 copies ordered it's barely anything, but if you had 100,000 copies ordered it's going to add up to something. *That's* what is needed to punish the people who are *really* hurting the retailers.

RHYAN: I definitely agree. I believe in the letter you wrote that was published in the March 18 CBG, you gave a fee like a nickel a book?

DOUG: I didn't give any specific amount.

RHYAN: Then it must have been someone else; it's all run together in my head. But a *small* fee for late-shipping products, I don't have a problem with that because publishers *should* be responsible for their product, make sure that it ships as solicited. Within reason, of course; you have acts of God or theft or low orders, things like that.

The thing that *really* upset me was the Capital City letter came right after Diamond had sent a letter stating that the grace period had dropped from 90 days to 60 days, and no more than a few days later *another* letter was sent saying that it dropped from 60 to 30, and then Capital City comes out with this letter with the $500 cancellation fee, $750 resolicitation fee — what really bothers me is the fact that no small-press publisher that I know was notified of this fee schedule before it was implemented. Capital City didn't even bother to ask our opinions on the fees. And I really don't feel that these fees are going to do a hell of a whole lot of good in turning around the attitudes of the publishers who are *most* at fault.

BRIAN: I don't know. I would say that the fines might get rid of the guys who basically are in this for a lark, let's say, who are publishing on their allowances and aren't really as serious about putting out quality work, and don't have their act together as much as the larger companies like DC and Marvel and Image. While I'm not against the small press at all, having been *in* it, I still think something ought to be done to keep the people out who aren't serious about it, who don't have their act together. Leave the people who do want to publish in a timely manner; the retailers and the fans *want* product on a timely basis. The fines, however arbitrary they might be, on the whole in time I think they might prove to be a good thing.

DOUG: The way you phrased that — people publishing as a lark on a shoestring budget — I think equivocating how much money they have with how serious they are is a mistake. You could have a lot of money and not be very serious about it, or you could have hardly any money at all and be *very* serious about it, and be very good. BONE and CEREBUS and ELFQUEST all started on shoestring budgets. You can't say that those people were never serious about it. And all those and a number of other books started out with very low orders, and some of them still have pretty low orders.

BRIAN: I agree with you. I agree that if this policy had been set up 15 years ago

"Might makes right, you know what I mean."

cancel if there weren't enough orders."

we might not have an ELFQUEST or a CEREBUS or a BONE right now — and it's a darned good thing that we *do* have those books. But I've seen a lot of publishers, and I've talked to a lot of people who *would* be publishers, and they think all they have to do is put out a comic and then rake in all these millions of dollars and sell the movie rights. But the fact is this is a tough market, and maybe I'm just looking at it as a kind of Darwinism effect that the fittest will survive this. I also see that since the policies on returns and fines and such have changed in a brief time, I expect that they'll get tweaked a little more and maybe they'll become more lenient.

TODD: My understanding is they are going to do it on a book-by-book basis, which again I don't even know if that's fair, because again the might-makes-right comes into it.

DOUG: It is unfair.

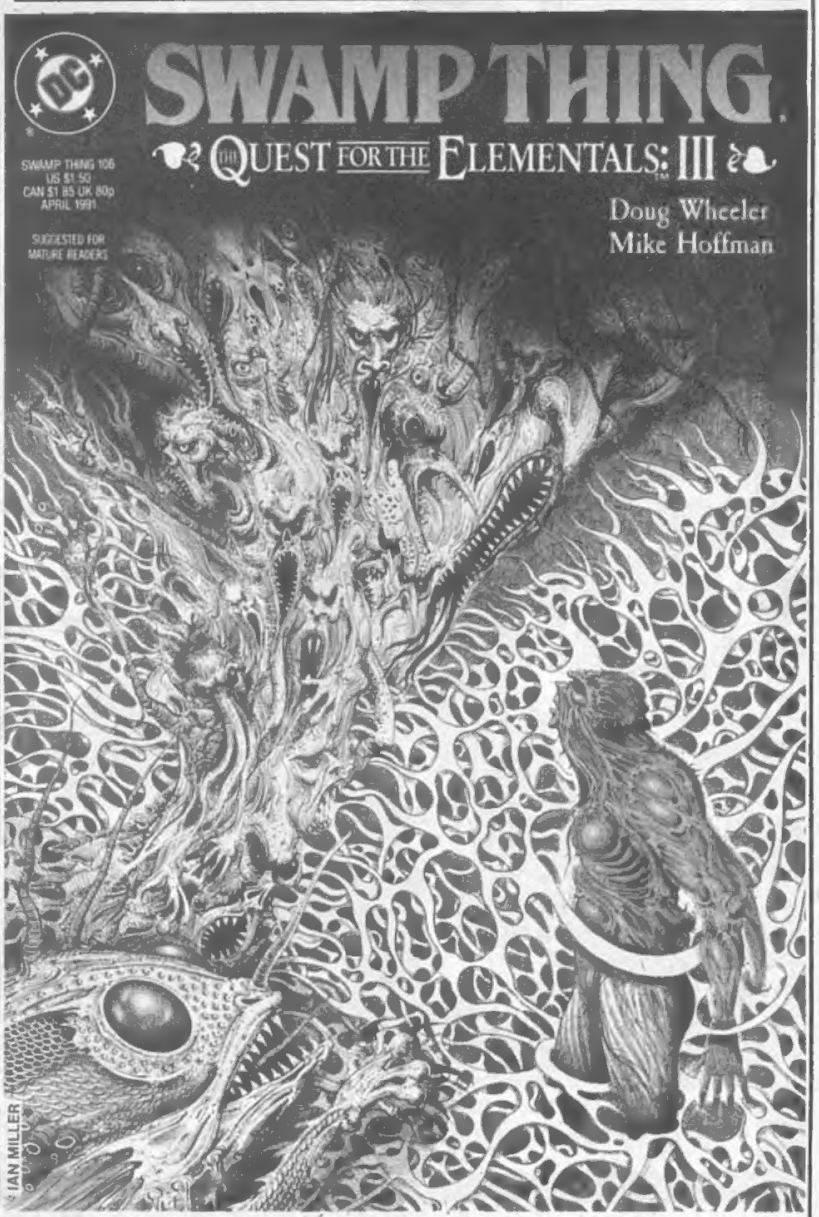
TODD: The whole problem that we're discussing, unfortunately, is a pure and simple business decision by the distributors, and we just happen to be some of the cannon fodder for it. You've got a distributor that's losing 20 accounts a week — and he can't afford to lose 20 accounts a week — because his retail accounts were speculating on books last year at a heavy rate, and are getting books late that they can't pay for. They started not paying their bills and — I don't know how familiar you guys are with the distributors — but the distributors float credit to their accounts, but because of what was happening they started taking money in *advance* from these retail accounts. And then the retail accounts weren't selling enough books, so they can either shut them down — and that's not good for business for a distributor — or they can somehow try and get these guys to live. The way to get them to live is to tweak some of these rules.

Unfortunately, they tweaked some of these things without thinking of some of the further ramifications of what it was that they did. In a panic state they said, "We're losing accounts, we're losing shops, we're losing money, we've got to come up with something, why is this happening?" The answer they came up with was late books and pointing the finger at Image Comics. Now, I would like to think that we have that much *power* that we can destroy this industry, but we *don't!* They made a panic call. I can give you a list of 25 reasons why there are problems, one of which is late books, and Image Comics *was* at fault. But to come up with one policy that you think is going to pass a wand over something and send a message to Image Comics, you haven't thought about the small-press guys; you haven't thought about the speculators; you haven't thought about the overhype that was put out; you haven't thought about gimmick covers and overpricing.

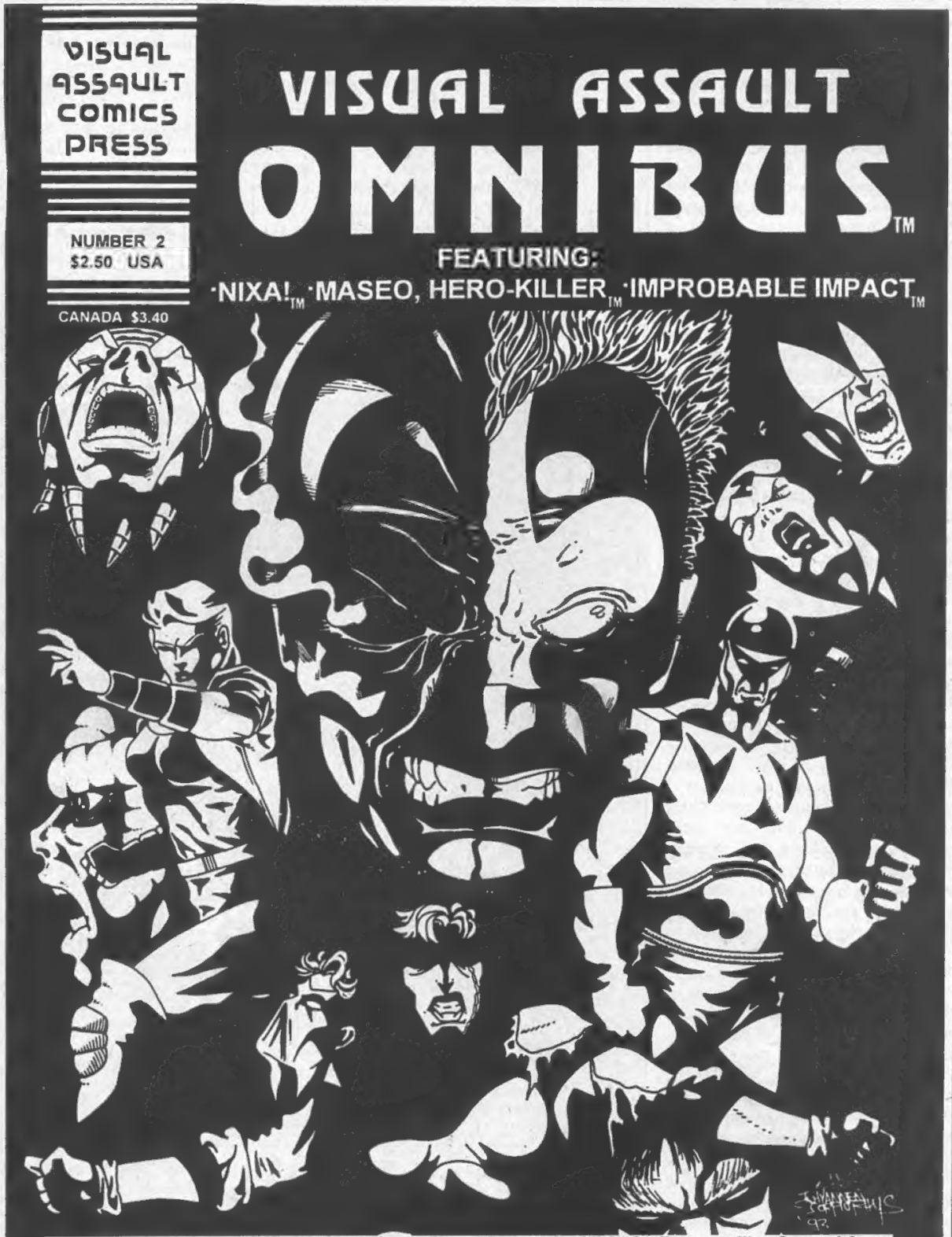
A lot of us were at fault last year. To just think you can do this then the marketplace will rebound, I think is kind of an easy out. But unfortunately, from the distributors' point of view they were losing cash at a rapid rate and they needed to basically *plug* it someplace. They felt that plugging it this way would give some security to some of their accounts, that even if they over-ordered and don't know what they're doing and even if the books are late they can still get some of their cash back.

About the small publishers, on some level I've thought about coming up with

"The small publishers should be more angry."



"There'd be *clout* if Dave Sim, Dave Kraft,



Why in this time of glut will Visual Assault Comics be worth anyone's while? "Quality storytelling. Sequential art. Actual dialogue! You know, the way a comic *used* to be." Visual Assault is an independent publisher that serves as a new-talent showcase where creators produce work, learn the ropes, get paid and "have *fun!*" Artwork here and on following pages is from VISUAL ASSAULT OMNIBUS.

Wendy Pini & everybody threw in together."

an umbrella . . . I mean, I don't even know what it could be, some kind of a phantom umbrella, so the small-press guys could get under this umbrella so they could have the same *might* as a company like Image Comics. You know what I mean? So that when we go in to argue about getting the A discount and making sure that we get priority shipping, we get this and we get that, that we're speaking for the creative community — not Image itself but that somehow there would be a committee . . . The one thing that the small guy doesn't have is the *clout,* but there would be clout if **Dave Sim** and **Dave Kraft** and **Wendy Pini** and everybody else all basically threw in together. First off this is 300 titles, because we have for lack of a better word unionized ourselves, so now we can say what we want for this creative conglomerate — so that it makes us as good as Marvel and DC.

So, now we're a creative conglomerate, we want the same benefits that they get — and I guess the same punitive damages and everything else. But we as a creative community are also *splintered* just as much as the retail accounts are splintered. I think that the small press guys need to band together. Instead of each fighting as a single voice we need to fight as one larger voice. They'll go, "Gee, it's not just those psychos at Image anymore who say they'll pull their books from us." We've had that fight with them plenty of times, guys, but if it was Image *and* 25 companies, then that's like 30% of the market.

DARREL: *Todd, you recently skipped two issues of SPAWN.*

TODD: Yep.

DARREL: *My friend and retailer here in Macomb is very pissed off about this.*

TODD: Yep.

DARREL: *He would really like to let you know that you're hurting his business.*

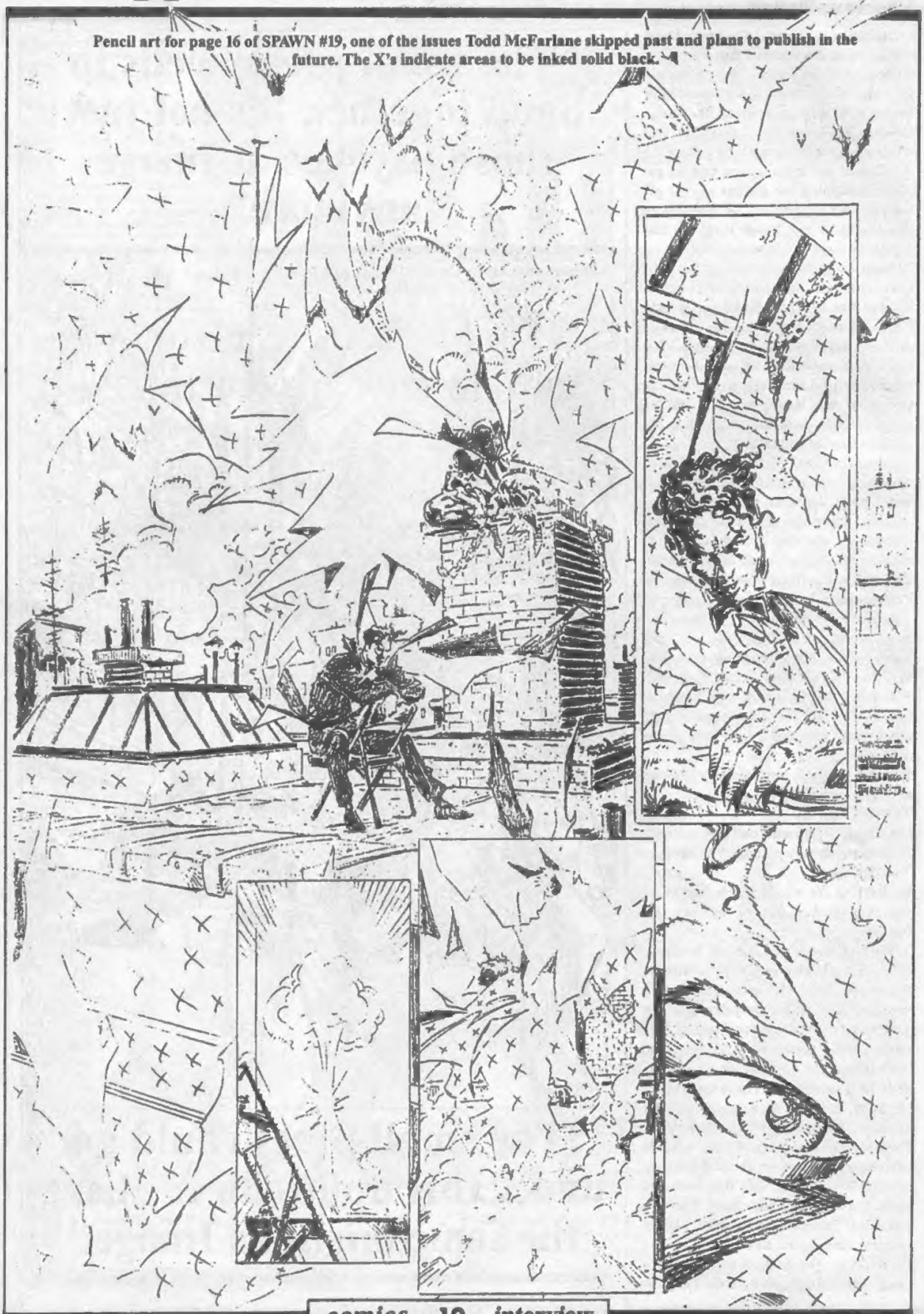
TODD: I'm not hurting his business. SPAWN has been a cash cow for him for two years. **Todd McFarlane** has been a cash cow for him for *ten* years. And last year when there was money sitting there on the table ready to be taken, **Todd McFarlane** put no gimmick covers out, **Todd McFarlane** didn't raise the price of his book once — as a matter of fact increased the quality of his coloring — **Todd McFarlane** did no posters, no trade paperbacks, no trading cards. I stole no money! If you think this was a money thing, this wasn't a money thing. This was a political statement on my part. I argue with the distributors all of the time, *and* the retailers. The retailers are saying the thing that is wrong with comic books is

"The small press needs to band together. It's not just those psychos at Image anymore."

Stephenwolfe. Art by Carlos Cortes, from VISUAL ASSAULT OMNIBUS.

"The small press could get under this umbrella . . . have the same *might* as Image."

"I skipped SPAWN #19 & #20 . . . I did it



Pencil art for page 16 of SPAWN #19, one of the issues Todd McFarlane skipped past and plans to publish in the future. The X's indicate areas to be inked solid black.

to send a message to the distributor."

late books, so I came up with a solution to give them a book that *wasn't* late, and some of them are having a problem with it. The retailers that are having a problem with it are the retailers that are getting a little too comfy with the returnability of this marketplace. If we want to become a returnable industry then we have a whole 'nother *war* that we want to start because then we've got to scrap all the rules that we have right now and we have to start from square one.

We are a nonreturnable business and I figured out — instead of giving you two books that you could return, that would make the following two books returnable, and the *following* two books the easy way to solve the problem was to skip two issues and give you a book that's still your #1 book, you put it on your shelves and it's gonna sell, and it's nonreturnable. The dealers *told* me they want nonreturnable books, the distributors *told* me they want nonreturnable books, and **Todd McFarlane** as a publisher wants nonreturnable books, so I figured out how to do that — and there's a few people out there that are now going, "We don't want the #1 book that we can sell, we want the #1 book that we can return." It makes no sense. So, those retailers, fortunately — I just got back from the Diamond Seminar today where I met 3000 of them — those, fortunately, are few and far between.

DOUG: Where you skipped the two issues, did you actually skip any months? Did the third issue come out the month that the first would have come out?

TODD: What was the question?

DOUG: What two issues did you skip?

TODD: I skipped SPAWN #19 and #20. I was right in the middle of doing #19, but I go: If I continue to draw #19, which is *already* returnable, then by the time I get to #21 *it* will be returnable. So I'm wasting my time unless I decide not to solicit for four months. There's an easy solution. Jump to the book that you can jump to, go to the month that you solicited, and put out that book. It was the beginning of a story arc. It wasn't like right in the middle of a cliffhanger or anything, so I hit the ground running with a story arc that new readers could come onto after SPAWN/BATMAN.

DOUG: So, if you skipped #19 and #20, did #21 come out at the same time #19 *would* have come out? Did #21 come out when #19 *should* have?

TODD: They were supposed to come out like in January or February, something like that, #19 and #20; and #21 and #22 and #23 were supposed to come out . . . I came in under the wire on the 30-day returnable policy, whatever it is. Basically, I picked up two months on my schedule.

DOUG: What I was getting at, if #21 came out when #19 *should* have come out then the retailers have nothing to complain about because they got a SPAWN book when they *should* have got a SPAWN book.

DARREL: *But* —

DOUG: But on the other hand, if it skipped a couple of months then what they're complaining about is if they had budgeted toward that issue of SPAWN then when that book didn't come out they didn't earn money off of it, but they *could* have used the money on something else. That's why they would be pissed. If you shipped #21 two months early and it came out when #19 should have, then they're complaining about nothing.

DARREL: *But* —

TODD: I see what you're saying. Every retailer has a different way of ordering and how they track stuff, so there's a lot of different scenarios. The guys that are

"If we become a returnable industry we've got to scrap the rules and start from square one."

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"If Todd McFarlane doesn't pay, how can they justify making anybody else pay?"

most mad probably order in a certain way where it makes sense for them to be mad, you know what I'm saying. I've had discussions with them; and given the way that they do business, or the way that they have defined how they think business should be done, they are right. But there's a lot of other guys that do things otherwise, so it gets into one of those things where half the guys are happy and half the guys aren't.

But the point, for me, was I didn't do it to hurt anybody; I did it to send a message to the distributor: You just closed a loophole, you changed a policy in panic, and you didn't think it through. SPAWN #19 is going to be late. I'll see if they're going to fine me. Better than that, *if* they fine me I *won't* pay the fine. If **Todd McFarlane** doesn't pay the fine then how can they justify making anybody else pay the fine? It might not seem like it, because again I don't go out there and talk to everybody, but I use my book as a thing that can help fight for some of the smaller press guys, because I can get away with a lot more shit than a lot of other guys can. I'm trying to break down the rules. I'm saying if they're going to change the policies they should be aware that there are loopholes that we can drive certain books through. There are books that are pretty much bulletproof and luckily SPAWN is one of those books, so when they put up a flare I don't have to say okay. You want to start changing policies, not thinking through the ramifications then *boom*, I'm going to send a message back to you, here's a ramification right here.

Anybody can now be on time if they jump ahead. Now if they say, "Todd, you can't do that, we're going to come up with another rule which says you have to sequentially put these books out," then they are now opening up the negotiations for their contract on a legal basis. They now have to open up the whole contract to add that one stipulation. If they do that then we as the independent press can now take back what it is that they took from us. If they want to start taking things back from us then we can start taking things back from them; otherwise then they've always got the upper hand. They've had the upper hand on the small guys, and luckily I've been able to sit back and go: Just to show you that you're not in complete control, I'm gonna fuck with you on this one.

RHYAN: My question to you is: What happens to those two missing issues? How are you going to make that up?

Pencils by Ted Beargeon. Inks by Daniel Hindes. From VISUAL ASSAULT OMNIBUS.

TODD: I've got them. They're *done!*

RHYAN: Are they currently being printed?

TODD: No, no. The one thing that stifles everybody when they argue with me, like at Diamond — I've got those issues, I've got the xeroxes, I've got 110 pages of SPAWN. Because I basically blipped a

"I'll see if they fine me. Better than that, *if* they fine me I *won't* pay."

"If they start taking things back from us,

Hi! Doug Wheeler here. The vast majority of the enclosed art, with the exception of two pages, comes from projects which publishers have so far passed on as "too different." My purpose in showing this art is both to explode the myth that creators are not coming up with good, original ideas (when the truth is that editors and publishers do not want original and innovative material), plus the hope that some publisher out there might be embarrassed into picking up one of these (fat chance).

we can start taking things back from them."

little bit — and I know there's angry people — I've now got a backlog for the first time since I started Image Comics, 110 pages of backlog. I've usually got two pages. So, to me it's a big poker game, and because of this blip I'm now going to be able to deliver a book every 28 days for the next 14 months.

(Shortly after this Rhyan's line went dead and he couldn't dial back in. See sidebar elsewhere in this issue where Rhyan addresses some of his concerns regarding the Capital City policies.)

DARREL: *From the way I'm hearing this, #21 came out on time.*

TODD: Yeah.

DARREL: *But if #19 had come out it would have been late.*

TODD: Right.

DARREL: *So, #21 came out when #19 would have been late. My situation here, the guy I do business with, this is a college town. The week of spring break is very dead; the summer is very dead; he plans everything according to the school calendar and when things are supposed to ship. If he orders for when the students are here and the stuff doesn't get here until they're gone, he's basically out a lot of money.*

TODD: Yeah, so the month I delivered #21 isn't a problem because I hit his computer bank right. It was the *previous* months when there should have been stuff where I messed him up.

DARREL: *Right. When you ship late you really are hurting people.*

TODD: Right, and I understand that, and for that guy I've done him a disservice. I fucked up and it hurt his business. But jumping ahead to the month where he had his projected orders, he was banking on that book coming when he thought it was going to, I actually delivered #21 with the numbers he ordered for that month. The marketplace fluctuates up and down, and to tell you the truth with the marketplace going down, by the time I resolicit the two books that I skipped I'll probably get 100,000 less orders. These guys will have the chance to order at the levels that they're actually selling now. So, in my personal situation what I did, with those two books, I tied up money that they could have spent on other books that were on time; there's the disservice I've done them. I fucked up, but I can't go back and correct that; all I can do is jump ahead and stop this leaking boat. Now the boat has stopped leaking and I've got 110 pages backed up so this won't happen again. On some level — I mean, you guys can keep going on this topic all you want; I love talking about SPAWN.

From Doug Wheeler's & Kim Hagen's as-yet unpicked-up horror/fantasy series.

DARREL: *Anybody else want to continue with this or shall we move on?*

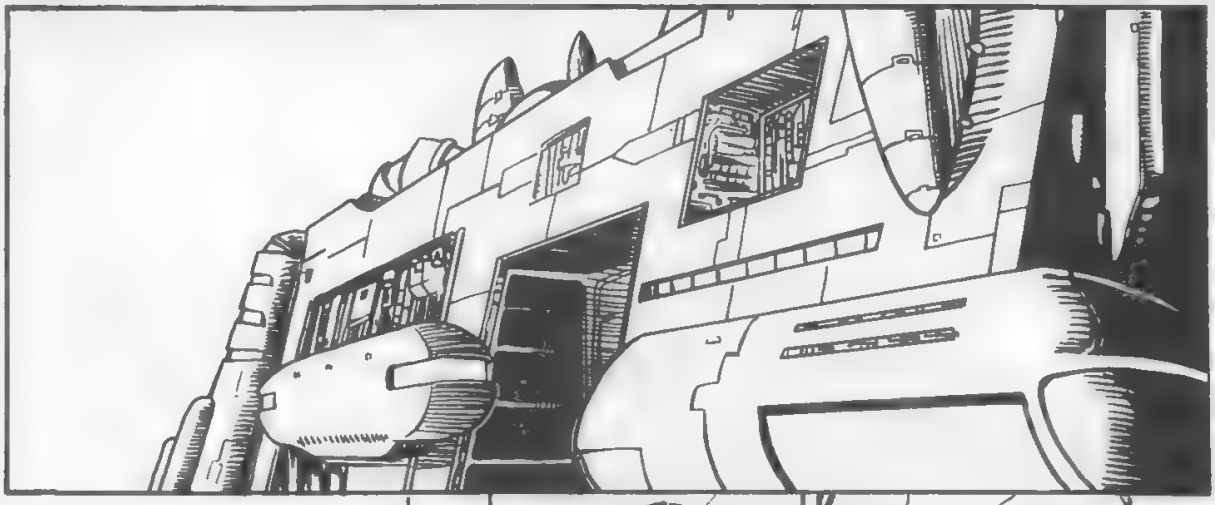
BRIAN: Yeah. Before Todd thinks that we're all here to pick on him — *(Laughter.)*

TODD: Like I said, I like talking about SPAWN. I'll talk all day about SPAWN. But I didn't think that was the subject.

BRIAN: True. Well, what I would like to ask is — throw it out for general opinion here — I've talked to some of my friends in the small press who have had things solicited through Capital City and Diamond and found that when they did things like mail order or just ads in CBG or whatever that they actually did better, in terms of orders overall, than going through the big distributors. The question I would like to throw out: Given that there's more than just the two big distributors, what would be the viability of bypassing the two big distributors, maybe finding another route? For instance, Todd and Image have seemingly had a successful run with the books that are put in Wal-Mart, and Marvel is looking into other avenues of distribution with the Marvel Mart thing, and DC

"You want to start changing policies then *boom*, here's a ramification right here."

"There's no way to check that the



books are distributed in their Warner stores and such. I wonder what the possibilities would be —

DARREL: *You're wondering about bypassing Diamond and Capital and still getting into the direct sales market, or bypassing Diamond and Capital and bypassing the direct sales market?*

TODD: A little of both, actually. You can go to both. I'm telling you, some of the guys that aren't getting good sales, if they went to Heroes World exclusively I'll bet you Heroes would run that pony around the block.

BRIAN: No joke, that's the thing. For a lot of retailers it's a very simple thing to just pick up the phone or write down on one sheet all their orders and get them all from one place. That's why I see people in campus town here buying groceries in a convenience store when they know the prices are half that if they take a ten-minute bus ride to the other side of town. It's convenience that they're going for. What if another means could be found to get the retailer to make a second phone call or fill out a second sheet?

DOUG: Well, you're saying let's find another means, but I don't really think the problem is that much Diamond or Capital, other than the fact that Capital is charging these ridiculous fees, and both Diamond and Capital really can't play up the small press that much. The problem is that you're still saying we're going to go to comics retailers. The vast majority of press comics whatsoever. They will skip right past the Fantagraphics section, the Rip Off Press section, the Slave Labor section, et cetera et cetera; they won't even *look* at it. You could have **Todd McFarlane** on a Rip Off Press book and the orders would be absolutely abysmal because most of them wouldn't even *look* at the Rip Off Press section to even *notice*

"Some of the small press found mail order ads actually did better than the two big distributors."

distributors are doing things correctly."

that Todd is there.

DARREL: *Actually, this is where Capital and Diamond are really* helping *the small press sometimes, because they put out these phone-book-size mag-a-logs, now, that list all this stuff, and some of these retailers will order it if people come and* tell *them they want it.*

DOUG: There are also a lot of retailers that *won't* order it if people come and tell them they want it. I have *gone* to retailers and said I'd like to order this and that, and the retailer goes, "I don't order anything from that company. Their books don't sell." I'm standing before them saying I'm going to buy it if they order it, but they can't see that here's a customer standing right in front of them saying order this and I'll buy it. I'm not a sale? *(Laughter.)* Also, there are some retailers who will lie to their customers, say, "Oh, yeah, I ordered it but it hasn't come out yet." But the thing is out at other places, you know. And also — I've heard this rumor; I don't know if it's true and it doesn't sound logical —

TODD: That doesn't mean that it's not true. *(Laughter.)*

DOUG: Right. I've *repeatedly* heard of alternative independents, even larger independents, complaining of how a shop says they've ordered X number of something through Capital or Diamond or whoever and they never received any copies. And the publisher didn't receive the order from that retailer; it didn't go into the whole thing. It doesn't make logical sense to me why a distributor would not tally up all of the orders that came in, because every order that comes in is money for the distributor, but I've heard this so often, from various sources, that I have to think there has to be *some* of that going on. I wish there was someplace that retailers could send in their orders, some central location, so that the publishers could really find out if retailers really are ordering things, if the distributors really are not tallying up all of the orders. Right now there's no way to check that the distributors are doing things correctly.

BRIAN: That's the problem. Now, the case you cited of wanting a book and the retailer not supplying it, that's simply bad business on his part. I can't help but feel that somebody's going to come in with a store that *will* listen to what the customers want, and in time that other dealer is going to be put out of business. But, having dealt with distributors, in all fairness to them, accidents will happen and mistakes will occur. Sometimes those mistakes are on the retailer level, like they might not put in the right numbers on their order forms; I've seen that happen more than once. Or they might not get them tallied correctly. That's just one of those mistakes and it comes down to how quick can the distributor catch that mistake and make good on it? That's what the answer is there, I think.

TODD: Could I ask you a question? Ultimately, the book is our problem because it's our book, right? So, when you guys come in with your small-press stuff, this business is basically a superhero-driven business. A lot of stuff that happens is based on superheroes; a lot of the business decisions go down

Improbable Impact. Pencils by Thor Badendyck. Inks by Daniel Hindes. From VISUAL ASSAULT OMNIBUS.

"BONE shows they actually have the power

CLASSICS DESECRATED
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ONE MORNING, A YOUNG FARMER'S DAUGHTER WAS THINKING TO HERSELF...
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...WHICH WILL PRODUCE AT LEAST 180 CHICKENS...
"...WHICH I'LL BE ABLE TO SELL AT CHRISTMAS AND BUY 3000 BAGGED, MINT COPIES OF X-MUTIES #1, NEVER OPENED, OF COURSE...
X-Mutes
"...AND THE NEXT YEAR TRADE THEM FOR TRUMP TOWERS, BECOMING A BILLIONAIRE FOR LIFE!"

based on superheroes. I talk to Diamond and Capital and go, "You know, this catalog is pretty big. How do you expect people to absorb all this information and base their decisions on it?" They go, "Todd, 90% of what we sell is from 10% of the companies." There's not a priority there for small press; the system isn't set up for any kind of priority level except superheroes.

I mean, I've gone into some great independent shops, but those are few and far between. So, what is it from a small press point of view that you can do? Why do you even keep trying to mine this thing that basically seems to work against you? There doesn't seem to be any hope in the near future that it's going to turn, you know. There are times, like right now BONE has perked up, and Jeff has just won an award at the Diamond show — he said one statement that I thought was dead on; he goes, "I didn't do nothing. I didn't send out flyers or whatever; I don't have the money to do that. But you guys somehow increased the sales from a low amount up to 60,000 plus. If you can do that for BONE then you can do that for any comic book, ultimately." He shows that they actually have the power to promote product and it will sell.

But you guys are fighting a very steep uphill climb, and what can you do about it? I'm perplexed at the whole thing, too, but luckily I happen to be doing superhero stuff so I don't have that climb. I got politics on another level.

DARREL: *Well, I think the problem with that is that everybody who looks into expanding the comic-book market looks into expanding interest in superheroes, but there is a* huge *market out there that really has* no *interest in superheroes. Nobody's really doing the work to try to get them interested in the non-superhero comics.*

TODD: Right.

DOUG: The problem is that it needs to be a big publisher who has a lot of cash flow to be able to absorb the losses of entering a new market in a big way, absorbing the losses that they would have to put up with for a couple of years until the general population *notices* them. That's the basic thing.

The problem with the retailers is they have superheroes superheroes superheroes up their heads. You can show them something good, like any of the Bongo Comics line or Marvel's REN & STIMPY, books that actually sell good and could sell much better, but they'll look at it and say it's not superheroes. The publishers don't want to do something that's not superheroes; the retailers don't want to order something that's not and could sell much better, but they'll look at it and say it's not superheroes. The publishers don't want to do something that's not superheroes; the retailers don't want to order something that's not superheroes. They'll say comedy doesn't sell. CEREBUS doesn't sell? REN & STIMPY doesn't sell? All of these books supposedly don't sell, but they seem to be successful to me. Science fiction doesn't sell? Right, STAR WARS, that doesn't sell? ALIENS doesn't sell? PREDATOR doesn't sell? These things *do* sell! It's just the mentality of many of the retailers, and the publishers as well as, that "Gee, we can't do that."

The other thing is, like you said, there is a large audience out there who would be willing to look at comic books that are not superheroes. Well, when we get one of these successful projects that *do* reach out, why does the industry ignore it? MAUS did very well but most retailers ignored that; the rest of the industry ignored that. MAUS doesn't count? MAUS really isn't a comic book? Why, because it succeeded? MAD has been doing very well out in the "real world" for *decades*. ELFQUEST does very well out in the "real world." But this is not acknowledged. They're waiting for a

"MAUS did very well. MAUS doesn't count? Why, because it succeeded?"

to promote product and it will sell."

superhero to break out to the general population, and if something that's not a superhero breaks out then we ignore it. Why?

TODD: From my point of view it's because in my mind — and I don't want to paint them all with the same broad stroke — the average retailer is lazy. The average retailer opens the shop, sticks out the latest comic books, sits down behind the cash register and collects the cash.

DARREL: *It's not just that they only stick out the latest comic books. It's also a lot of them put them out in alphabetical order. How many people who* aren't *interested in superheroes are going to wade through that big superhero mess?*

TODD: Right, diversify. And more important than diversify, so that you're not at the mercy of any one publisher, or any one *genre* for that matter — these guys should go into a book store sometime, or even if you're at an airport go into one of *those* book stores. You can take a lesson from those guys.

DARREL: *Or just go to the grocery store and look at breakfast cereal, because there the stuff that's going to attract the parent is at the parent's eye level and the stuff that's going to attract the kid is at the kid's eye level.*

DOUG: Well, speaking of grocery stores, look at DISNEY ADVENTURE DIGEST. That thing sells 250,000 every month, which makes it the top-selling comic every month. And we ignore it.

TODD: And we can't sell it in our marketplace.

BRIAN: Speaking as a retailer, I have to agree with Todd about the majority of retailers being fairly lazy. I think the same case can be made for *all* levels of the comic-book industry. The publishers find that superheroes sell so they put out more superheroes, and the distributors will have an easier time promoting SPAWN or ZERO HOUR to the comics-buying audience simply because they're familiar with it already — it's kind of like preaching to the choir.

I think what's needed at all levels, from the retailer who's got to clean up his shop and put some lights in there on up to the distributors and the publishers and such, is: Try to keep reaching out to new people. Sure, superheroes are going to sell, but look how long it's taken in this country for rock'n'roll to become fairly well accepted. That was kind of an outlaw form of expression when it first came out, but now it's on prime-time TV; it's on THE TONIGHT SHOW, it's in every store in America that sells any sort of music products.

TODD: But rock'n'roll didn't come from the retail end; it came from a creative community that said, "We're gonna do for our rock'n'roll, we're gonna push our rock'n'roll, we're gonna *die* for our

WHAT!?? YOU ALL WANT TO TRADE YOUR WORTHLESS, NOTHING BUT BLANK PAGES, ROTTING IN THEIR POLYETHYLENE BAGS X-MUTIES COMICS...
BANKRUPICY COURT APPOINTEE
...FOR TRUMP TOWERS!??

Doug Wheeler's & Steve Smith's commentary on the speculator market.

"Put SPAWN/BATMAN on your cover, you're going to

rock'n'roll."

BRIAN: That's true, and something like that may have to be necessary from the comic-book community. We've got to keep reaching out to the non-core group of buyers. We've got to keep trying to reach out to women, to older people, and show that there is diversity within this medium, that it's not all just long underwear.

DARREL: *The question I would ask, then, is: Could the distributor do anything to facilitate this?*

DOUG: The distributor *could* highlight — I guess, still, they would be picking out which books — but they could highlight which books they think are good amongst the alternatives and the independents, and do it for free. The big thing, and a lot of people don't seem to realize it, with the distributor catalogs all of those interviews, everything other than the one little paragraph of what's hot this month, the preview sections and all that stuff is paid advertising. Most fans, most retailers, even a lot of professionals, think that what they're doing's just like HERO ILLUSTRATED or WIZARD or COMICS BUYERS GUIDE or COMICS INTERVIEW picking these people out for an interview, that these people didn't pay for it. Everything in the distributor catalogs is advertising. They don't label it as advertising because by definition the *entire* catalog is one big advertisement, so legally they don't have to label it — and if they did label those things as ads that would warn people that maybe they should take it as advertisement.

TODD: That's misinformation. I've had plenty of interviews and I don't give them a penny.

DOUG: In the catalogs?

TODD: I *fight* for it. As a matter of fact, they wanted money for the SPAWN/BATMAN covers, and I fought and fought and fought that. "If you put SPAWN/BATMAN on your cover, you're

WORM'S-EYE VIEW

by Rhyan Scorpio-Rhys

The Capital City Ultimatum

As Seen from a Small-press Publisher's Perspective

On January 6, 1994, Capital City Distribution, Inc. (currently number 2 in the distributor hierarchy) drafted a notice and mailed it out to all of their suppliers (comic-book publishers). The notice addressed changes in Capital City's terms for purchasing products. A rough draft of these changes were enclosed, along with this explanation:

"Please understand that these changes are necessary for a number of reasons and have been implemented after much careful thought, analysis and discussion with many suppliers and retailers. We have not developed these changes for our convenience or for purely selfish motives but to improve the health of the entire supply chain by reducing costs and waste for suppliers, retailers and distributors. As always, we are open to better ideas."

I'm sure, by now, most of you are aware that the changes involved reducing the grace period for late-shipping products (comic books) from 90 days to 30 days, and instituting penalties for any unshipped product that ran past the new 30-day grace period. The fees were $500.00 for cancellation and $750.00 for resolicitation. It has been brought to my attention that the resolicitation fee includes the $500.00 for cancellation. How very thoughtful.

Do you have a problem with the new 30 days grace period?

No. I feel that 30 days is cut and dried to the bone, allowing publishers some breathing space, but not enough to allow them to become complacent.

What bothers you about the whole shebang, then?

I'll break it down for you, piece by piece.

Capital City has stated that the changes were "implemented after much careful thought, analysis and discussion with many suppliers and retailers." Discussion with many retailers, I believe. If I had to hand one thing to comic-book retailers in general, it's that they make their opinions known. Discussion with many suppliers? What number constitutes *many*? Most of the publishers that I know were not contacted. And who made the decision that the suppliers contacted (if any) would be the voice of the comic-book publisher collective? Obviously my vote didn't matter, since Capital City neglected to pass me a ballot.

Next, Capital City stated that the changes were not developed "for our convenience or for purely selfish motives." Oh, really? Then where does the money collected from these cancellation and resolicitation fees go? Is it floated, in the form of credit, to the retailers who aren't able to pay in advance for the current week's books? No? Well then, is it maybe donated to the Comic Book Legal Defense Fund or another comics industry-related charity? 'Fraid not. What it does is simply help Capital City "partially cover [their] additional costs."

No, sir. Nothing convenient or selfish about that.

Capital City is also striving to "improve the health of the entire supply chain." How? How do these changes improve the health of a small-press comic-book publisher who, more than likely, works damn hard holding down a 9-to-5, comes home and works even harder to produce quality material with less than half or *none* of the technology that their mainstream counterparts have at their disposal, and scrapes together the money to publish a book? Please enlighten me, Capital City, for I am blinded to your omnipotent wisdom.

And finally, the number two distributor wishes to "reduce cost and waste for the supplier." By not allowing a publisher to cancel a book due to low orders, and charging them fees that equal *nearly half* the cost of a minimum 2,000-3,000-book print run?

Tell me, Capital City: In your world . . . is the sky blue?

Reader note: Please understand that the responses listed above were my initial reactions to the Capital City letter, and are presented for your entertainment (or distainment).

On March 15, 1994, Capital City drafted a letter to clarify their new

"The $750 resolicitation fee includes the $500 for cancellation. How very thoughtful!"

make a ton of cash. You want me to pay you to do it?"

going to make a ton of cash. You want *me* to pay you to do it?"

BRIAN: But then again you are dealing from a position of strength.

DOUG: Right.

TODD: But the reason I'm fighting from a position of strength is because if I can fight it and I can crack them and get it for free, then I can shoot my mouth off and go, "They gave it to me for free." Everybody else can go, "You gave it to **Todd McFarlane** for free," but unfortunately what ends up happening is when I do that the only people that can come in behind some of the things we change is, again, Marvel or DC. They go, "How *dare* you give that to Image and not give it to us. We're a bigger account." It doesn't trickle down, unfortunately. The fights that I fight seem to help Marvel's and DC's cause, because they sit there and go, "If you give that to an account that's 10%, then goddammit we're 25% so we should get the same deal."

I'll give you a perfect example, a great example that just happened on Sunday. If you guys haven't heard about this then you would do well to make some phone calls. **Frank Miller** delivered a speech on Sunday, the keynote address to 3000 retailers at Diamond. It was stunning! A stunning hour-long address that basically drilled home the fact that the creators in the conglomerate system are taken advantage of, are raped and pillaged. He called by name specific people as liars and cheats, okay. At the end of that speech he got a standing ovation from the creative community, God bless 'em, and from the retailers.

But I was up front and I can tell you Valiant, DC, Marvel Comics sat there, not only did not give him a standing O, didn't even clap. They just sat there because he had just driven a bullet through them. Now, that's all fine and dandy. We don't like to be called names *any* of us. But Marvel Comics now goes

procedures. This new letter stated that Capital City would not impose cancellation, resolicitation, or return fees on those suppliers that meet a minimum standard of timeliness. They also planned to use a *phase-in approach* to implement their new process for handling late products.

The meat of this nutshell is that Capital City has developed a level of standard that they feel most publishers can comfortably meet. If a publisher drops below the standard (missing the 30-day grace period), a *strike* will be given to the publisher in question. First *strike* offenders receive their rap on the nose via the telephone. If the same publisher misses the following month's grace period, a second *strike* is issued and the reprimand is delivered through the mail. If for some ungodly reason that same publisher yet again misses the following month's grace period, the third *strike* is awarded and the proper fees are applied against the publisher's account.

Quick, everybody! Run and put on your thinking caps. It's simple arithmetic time. If one strike is accumulated a month, and one month equals 30 days, and if a publisher must acquire three strikes before fees are levied against them, then what's the true grace period the publisher has to deliver on a book before any fees are incurred? That's right: 90 days! Of course this is faulty math, for one must assume that these *strikes* cannot be compounded on one book. But I'm sure there's a loophole in there somewhere.

Capital City's strike/fee system is by no means a fair system. It was done to quiet the growing masses of discontented retailers, while carefully not upsetting the mainstream publishers' applecarts. In their original letter, they asked for better ideas. Here are some:

Jeff Smith proposed a reasonable fee regarding late issues of BONE: five cents

"Capital's is by no means a fair system."

per copy of each book that missed the grace period. Which does not seem unreasonable. However, there are some smaller publishers that may not take a shine to that policy, so perhaps a fee of a penny per dollar of the book's cover price, multiplied by the number of books ordered, may be more palatable.

Or, maybe distributors could charge publishers a nominal, flat solicitation fee (which would then put some responsibility on the distributor to ensure that solicitations were accurate and timely). This could help offset the distributor's costs, and if there was any money left over, it could either be applied to help strengthen the visibility of the comic-book medium, or donated to the Comic Book Legal Defense Fund, or organizations which devote themselves to reading. Think of the good will that could be generated from these types of proposals.

Or perhaps we can take this to the extreme. If Capital City refuses to adjust the fees lower for the smaller publishers, then perhaps they should adjust it higher for the larger companies. Take the average small publishers who consider themselves blessed if they can move 3,000 copies of any given book, and figure out how crushingly devastating these fees would be to them, and adjust the fees so that they would be equally damaging to the larger companies.

Sounds like a WHAT IF or an ELSEWORLDS story, doesn't it?

And there is another solution that does not involve the distributors: Retailers, if a publisher is constantly late . . . *do not carry their product.* It's so simple, it's scary. This plan requires retailers to think *long term.* If the retailers banded together and used their buying power to influence the publishers they feel are consistently at fault with late-shipping product, they could make those publishers shape up or ship out. I strongly believe that if you have the power to institute change for the betterment of the industry, you should use it and stop bemoaning your fate from the sidelines.

Are these suggestions perfect?

No, by no means. They need work to make them reasonable and customary for all the parties involved. But understand something. Unlike Capital City's new procedures, *they're not being forced on you.* They are simply submitted for your approval. And if you have suggestions of your own . . . then by all means, place them on the table.

"Where does the money from these cancellation and resolicitation fees go?"

"It doesn't trickle down, unfortunately."

Another Doug Wheeler project publishers feel is "too different" — a fairy-tale superhero, with art by P. Craig Russell.

"Together we're 45% of the market as a creative community. A war is going to have to be waged."

up to Diamond, or **Geppi** himself, and says, "How *dare* you put a man on that podium who you knew was against us! We are your biggest account." This is where the might makes right, and I fight it every time I go in there. "How dare you put a man up on that podium to talk to 3000 retailers, let him say one nasty word about us — *you* will be hearing from us." Now, whether that means they will be giving exclusives to Capital in the next month, whether that means that they will pull a book here or there, whether that means they're just going to send a lot of nasty innuendo to them, whether that means that you will never see a creative person give a keynote address to the retailers for the next ten years, there's going to be some fallout from that.

But basically the big account is now trying to dictate on some levels even to the distributors what kind of information can leak out to those retailers. They don't want **Frank Miller** saying what he said to them, and now it's like they will go to war. But this is good! I love war; I love going against these guys. But I wouldn't hold my breath that **Todd McFarlane** is going to be the keynote speaker at Diamond next year; they're going to have some fucking suit. Now they have to give equal time. More than that they have to squash that — they don't ever want that guy coming up there again to say what he said. So, the whole system is out of whack because of the big boys playing a certain game, and we get caught into that fight every single time.

We're trying to fight the power that they exert, but basically the small guys are pushed so far into the back in priorities because these guys are trying to worry whether they are offending Marvel at a dinner for the retailers. If you were to go up to them now and drop your problems from the small press, they don't got time for it right now. I envy you guys that you keep fighting, but the war is going to be a long war.

I think on some level the answer might be that we start having to go shoulder to shoulder. Who gives a fuck if you like me, who gives a fuck if you like Image Comics. I'm telling you guys we can help you because we carry our 10%. You bring your 1%, you bring your 2%, you bring your 5%, together we're 45% of the market standing side by side. We don't like each other, we don't even like each other's books, but we're here as a creative community and we can make our demands and they better listen to us. A war is going to have to be waged someday.

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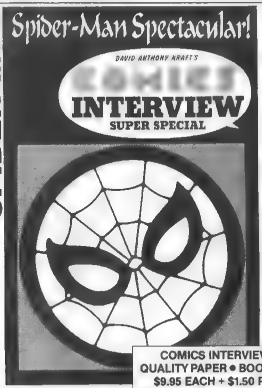

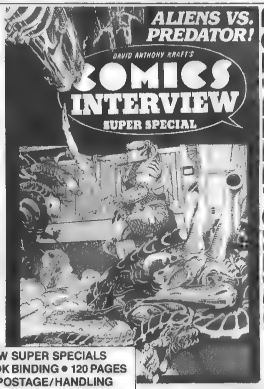

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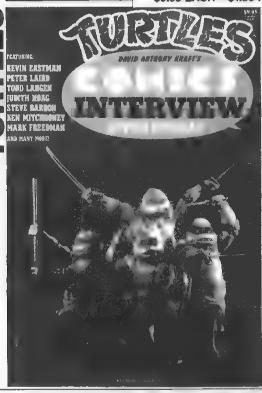

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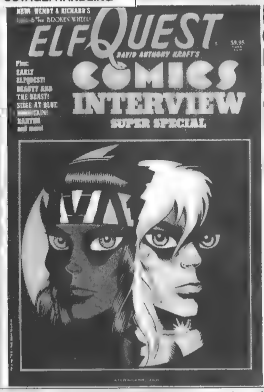

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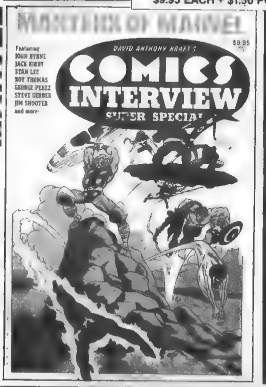

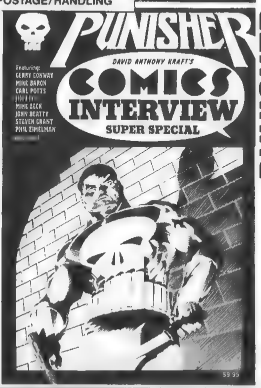

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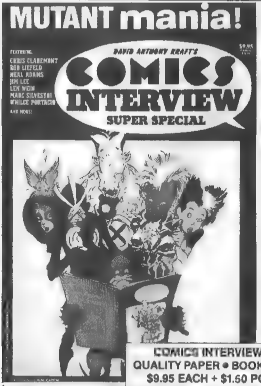

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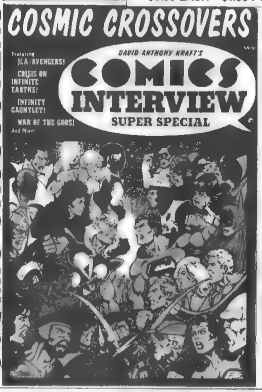

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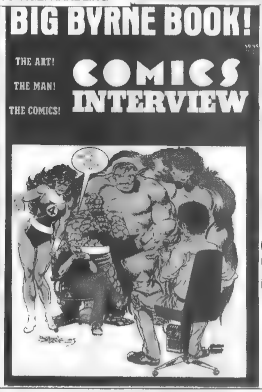

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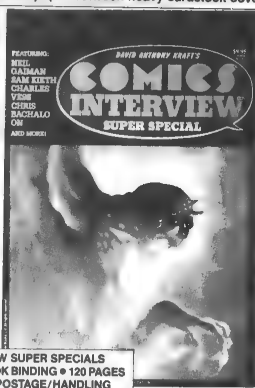

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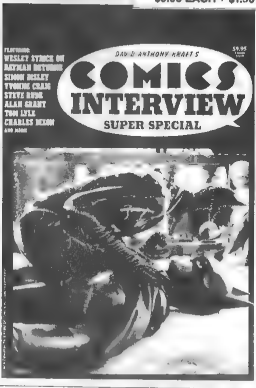

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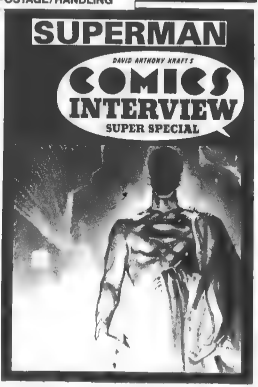

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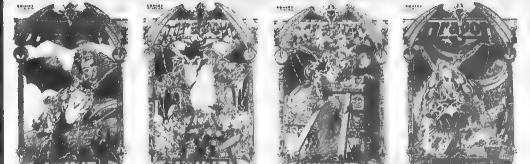

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"If Diamond and Capital say no, Heroes would *love* exclusives on 450 titles."

BRIAN: What would be the result of that war if — you know, you likened it to a game of poker — what happens when the time comes we all have to show our cards? The distributors could always say, "Okay, fine, you want to stand together, you're all out." Do we then look for alternative—

TODD: You just blew off something that could never happen. You're saying that the entrepreneurs that call themselves distributors will basically stand as a whole. I'm telling you, as entrepreneurs they will never ever do that, just like publishers will never ever do it, just like the retailers will never ever do it. All you have to do— and this is why we've won a lot of our wars— you pick at them one at a time! You go up to **Geppi,** who is the biggest guy, and say here's what we want, then if he says no you go, "Oh, by the way, can you give me Uncle Millie's number over at Capital, because we've got to have a meeting with him tomorrow." Steve knows that if *he* doesn't give it to you then you're going to go to his main competitor.

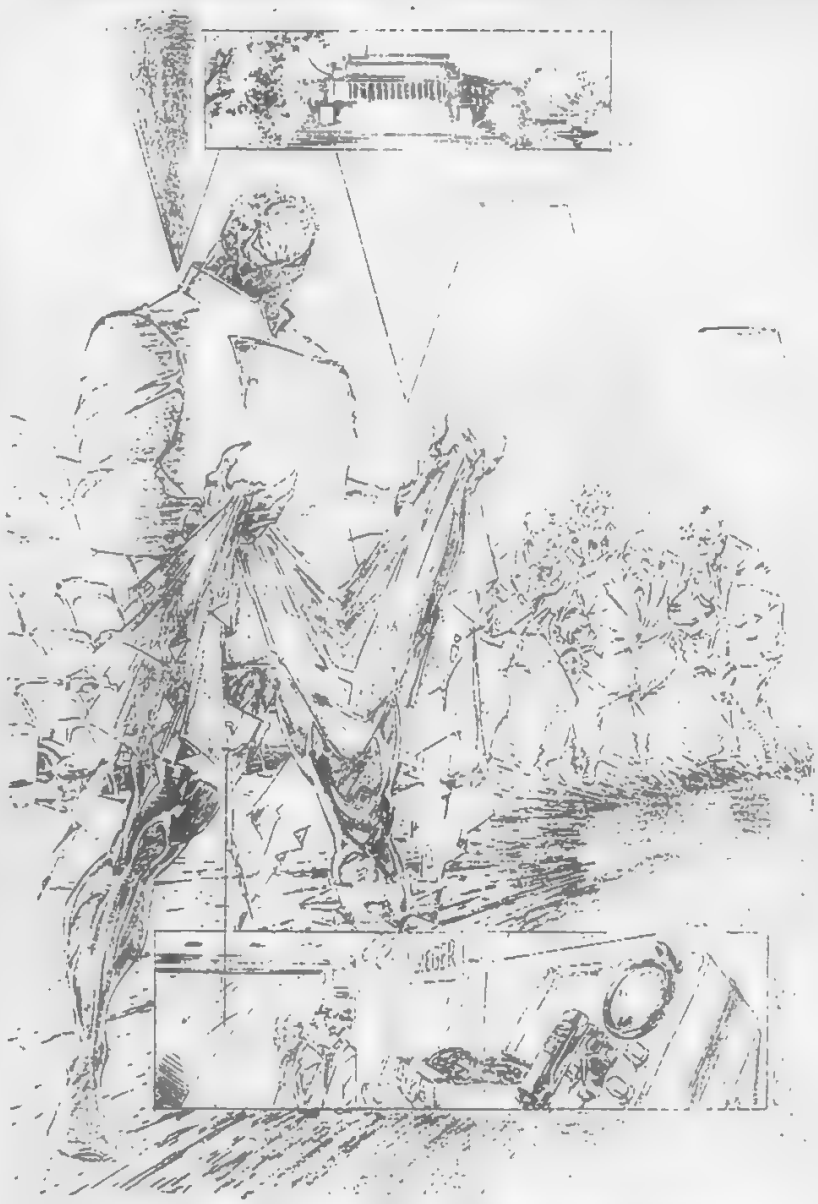
Now, the *reason* that he's the number one distributor is because he has X amount of product. If all of a sudden X amount of product leaves his house and goes to his main competitor, who is number two and is hungry as hell to be number one, because he's a businessman he might go yes — not because he likes us, not because he even gives a shit about us, but because it makes good, sound business sense. He'll take those books, give you what you want.

I'm telling you, I bet everything that I stand for, every time I make a fight, that those guys will never ever ever come up with anything that they will agree upon. Because they're all businessmen trying to be number one. And if Diamond and Capital say no, I guarantee you that Heroes World, who is the number three guy in the distance, would dearly *love* to have exclusives on 450 titles. If Diamond and Capital aren't getting those, that would put him into a strong position. It might even catapult him into number two or number one.

DOUG: The problem with that, if all these independents went under this theoretical umbrella and went exclusively with Heroes, Heroes doesn't distribute to enough retailers for these independents to *make* it. Retailers may look at

"I bet everything every time I fight that those guys will never agree."

"You can talk morals with them; it falls



More pencil art for Todd McFarlane's skipped issues of SPAWN — this from page 17 of issue #20.

this and say, "Okay, it's under the Image Umbrella, but we all know which books are *really* Image, we know which books aren't, and we're still going to order them the same way." The small people are still not going to get enough orders to *make* it. It's the same as when Comico— the old *good* Comico before it was taken over— went with the deal with DC thinking Comico would be under DC's umbrella and get orders equivalent to DC. The retailers weren't *fooled;* they ordered Comico the same as they had *always* ordered Comico before. And Comico ended up having to give part of their profits to DC. They weren't making much to begin with and now they had to give part to DC. That's why they went bankrupt and ended up as the cruddy publisher they are now.

TODD: I think there's a misunderstanding. I don't want *anybody* to come under the Image banner. I want Image to go under a *bigger* banner which is called the creative community. CCC— Creative Community Corp., you know— and everybody is underneath that banner. What that would do for the smaller guys, on some level— again, I can't go around to every retailer and tell them how to run their business— but what it would do for you *instantly,* with 450 titles if we say we want the A discount, those 450 titles would *have* the A discount. You guys are not getting an A discount right now. Part of the thing that's hurting the small press is there's not an equity in terms of the *policies.* Marvel and DC, and to some extent Dark Horse and Valiant and Image comic books, we get treated *differently* because we can come in there with *volume.*

I bet you guys would sell a *few* more copies if the retailers could make an extra quarter off of the book. It's the same friggin' book, you don't have to do any more work, just do what you've always done. By the mere fact that the retailer will make more profit off that same friggin' book he'll get more behind it. Marvel can't do that. Marvel's already getting A and there's nothing beyond it. There's not an A+ level; they're going to stay at A. DC's going to stay at A. Image is going to stay at A. But all of a sudden all you guys at the C and D levels, they pop you up to A, then retailers are going to go, "I can now make just as much profit if not *more* off these books, so I'll order three extra copies." Three copies times 3,000 stores— that's a pretty healthy chunk for guys that are in the small press.

You guys are fighting against even *discount* things that turn people *off.* They go, "I can make more money selling this. Why do I want that?" It may be just another garbage product from Marvel or DC or Image, but it's still a larger profit margin. I'm telling you, the only thing these guys pay attention to— you can talk morals with them all day long; it falls on deaf ears— the only time they pay attention is if you dent them in the pocket. If you dent them in the pocket their ears perk up and they'll pay attention to you. But doing high art, doing better comics, deserving a break, you're going no place with *that* argument. You've got to show them what you can give them in return financially— this is how you can help their distribution financially; this is how you can help these comics stores financially. You've got to give them a spreadsheet that makes sense to them and they'll go, "Oh, okay."

DARREL: *Now, Brian has to leave in a little bit.*

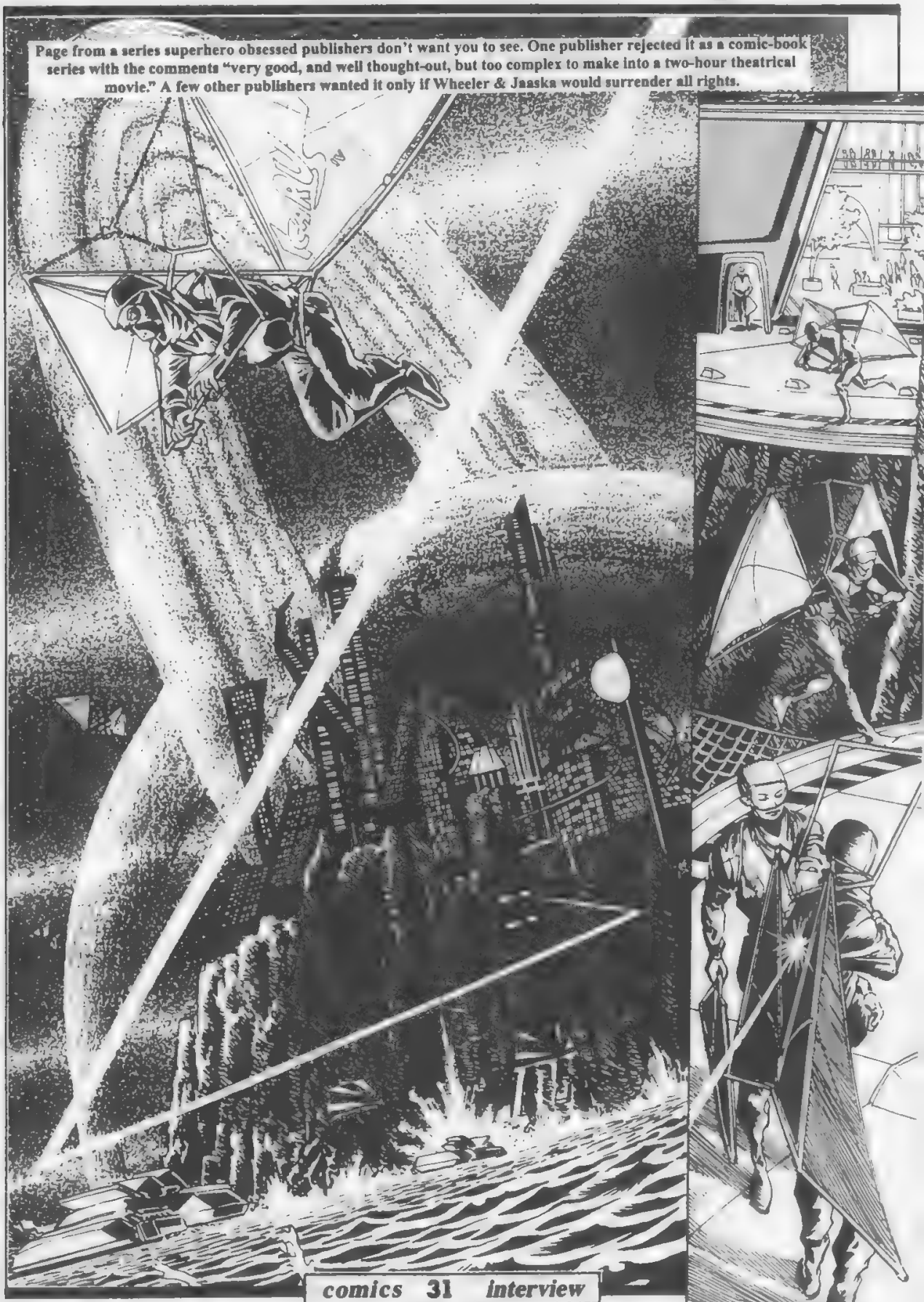
BRIAN: I'm staying a little while longer. This is getting too good.

DARREL: *Okay.*

TODD: Your fault, Todd. *(Laughter.)*

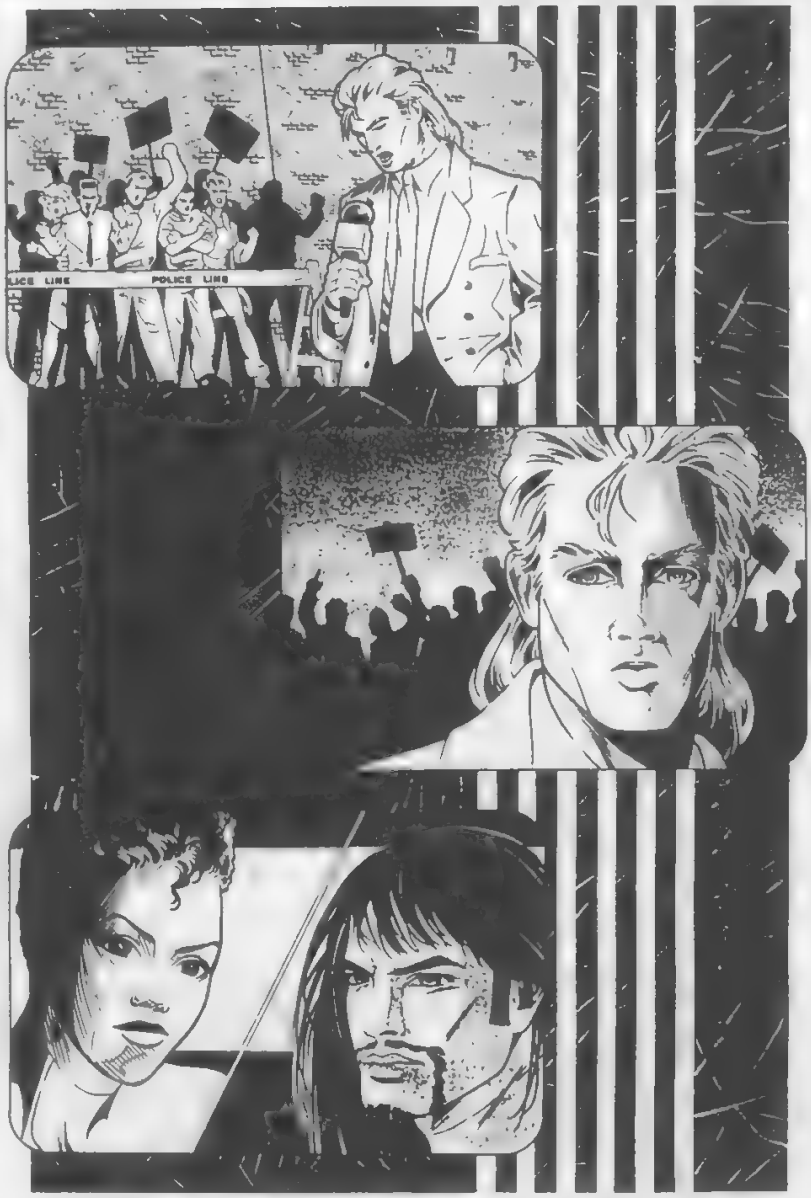
DOUG: If what you say is true — and I'm a writer so I'm not so much into knowing what the discounts are— but that makes sense. But I think there's another problem with retailers right now.

on deaf ears. Dent them in the pocket."



Page from a series superhero obsessed publishers don't want you to see. One publisher rejected it as a comic-book series with the comments "very good, and well thought-out, but too complex to make into a two-hour theatrical movie." A few other publishers wanted it only if Wheeler & Jaaska would surrender all rights.

"Less than 25% of retailers read a *single*



Maseo, Hero-Killer. Art by Adam DeKraker. From VISUAL ASSAULT OMNIBUS.

I was at a con out here in San Francisco and someone had done a survey to see how many retailers actually *read* comic books. Back in the early '80s virtually all of the direct-market retailers read all of the comic books that came into their shops, or read a significant amount and knew the product, knew who was who. Today less than 25% of the direct sales retailers bother to read a *single* comic book at all. The vast majority of them don't *know* who the artists and the writers are. They do not know the product; they do not know what is good or what is bad; they just go by the hype in the distributors' catalogs. Those kinds of people, all they care about is numbers—like what Todd was saying.

BRIAN: That's true, that's true. I think a *lot* of retailers that are in this business right now did not come in as comics fans like I did. A lot of them come in as guys who smelled a potentially quick buck, and that's how we wound up with the glut last summer. Todd makes some good points about offering percentages that would make the small press product more attractive to a retailer— I think we've pretty much agreed, all of us, that the *average* retailer is on the lazy side, and will go with the hype rather than use any sort of critical judgment.

The only problem with that— getting back to what Todd said, which was a good theory and I wish it were true— Heroic, the publisher of FLARE and such, has been using that argument for *years*. "Why don't you buy more CHAMPIONS, more FLARE, more SHE-BAT, get a higher profit off of my books, rather than buying more copies of X-MEN?" But the average retailer will take the path of least resistance, thinking, "Why should I buy a few more of those, which *might* draw more sales, when I can just hedge my bets, go with the sure thing, just use the money to buy more X-MEN?"

TODD: You know what, I agree with you, bud. I agree. That still won't solve the problem. All's I'm saying is that in war it's the small battles you've got to fight before you get to the final victory. I'm not saying one or two things are going to win this war. I think there's a *lot* of things. We've got to get in there and get the discounts for the small press. We've got to get *equity* for everybody *other* than Marvel or DC, ultimately. We've got to have a little more of a distribution that's not so top-heavy. We have to have publishers that are not going to basically over-hype product, and that will be on time. There's a responsibility on *our* end to deliver a product that we *say* that we will deliver. Whether it's good or bad, again, that becomes the *customers'* decision. That's a whole 'nother discussion.

We also have to have the retailers become educated and sell their product on a better basis. The people that are *out there* that we *could* sell product to are *afraid* to come in— not afraid; that's a harsh word— don't come into comic-book shops because they're not even presented in a professional manner, you know. We've all been into them. They're on the corner, down the street, in neighborhoods that aren't the best neighborhoods. They've got 30-watt bulbs in their— they don't present a very welcome environment for people to come into. But I'm saying that even if we crack *one* thing, which is get a discount that's equal for *everybody*, we can go on to the *next* one, which is maybe see if we can't get

"The average retailer is lazy and will go with the hype."

comic . . . all they care about is numbers."

people to actually put new paint on their stores. We've got to solve one problem before we can go to the next problem.

DARREL: *Right.*

BRIAN: I agree with you. That is an excellent summary of the entire situation. The problem is we'd *all* like to see this dream situation come overnight, where something like BONE has the same chance in the marketplace as X-MEN or SPAWN or BATMAN. But you're right, it's going to take time. And it's going to take some people who are not afraid to take a few risks financially, creatively, who will just basically get off their duffs and spread the word. Maybe just move beyond this little community that we have to reach out to the rest of the world, *show* them that there's *more* than just long underwear, there's a *variety* of things. And this variety of things has to be offered before anything else.

TODD: Yes, yes. And in the long run that will do . . . I'm telling you, the small press can offer us more legitimacy than any big publisher can offer right now, a big legitimacy to us. Most people, when you cay "comic book" they still think of POW! ZOWIE! BAM!, and every time I find someone like that I go, "When was the last time you were in a comics shop?" There's product for ages 5 to 55. It's not just from 8 to 12. That used to be all that was out there, for the mst part, ages 8 to 12 product, and then you quit comics. There are other products now and, just like movies, just because you turn 12 it doesn't mean you must stop going to movies. What happens is you graduate from BARNEY to DUMBO to TERMINATOR to GANDHI. There's an evolution in your tastes. In the evolution of comic books there's a *wide* variety of tastes out there. Somewhere we are doing ourselves a disservice.

The small press offers more *legitimate* forms and genres and high art, if you want to call it, that would basically blow the *stigma* off of comic books. But as long as the superheroes are reigning supreme and BATMAN is making $800,000,000 in movies, we're locked in. I don't know how to break this cycle. I don't know.

DARREL: *One thing I wonder about, with what Capital City has done, it seems to me this is going to be more* discouraging *for experimentation, and it's going to discourage growth in that commercial direction that—*

BRIAN: I don't know about that.

DARREL: *Well, you've got publishers that aren't—*

BRIAN: I think the people who really want to try something different ultimately will. They'll do it *despite* the odds.

DOUG: Right, but they might not be able to continue as long. They don't have the cash flow to keep on losing money and losing money. They'll take their shot, but they have to get out of the game quicker. And, again, getting back to things like CEREBUS and BONE and ELFQUEST, I believe all of those lost money when they started. They had to stick in the game for a while. They weren't losing money as fast as these new regulations from Capital City would cause people to lose money.

BRIAN: But, again, they also weren't printing tens of thousands of copies like a lot of even the newer publishers are doing. And they were doing a lot of mail-order at that time. When CEREBUS and ELFQUEST first started, I got my first issues through the mail rather than at a comics shop.

DOUG: But the small press is not selling tens of thousands of copies. We're talking about the level where 2,000 copies is breaking even for some people, and a lot of people don't even make that.

BRIAN: I'd love to have sold 2,000 copies.

TODD: Do you guys realize that Dave Sim still has a lot lower discount than Image Comics? Here's a guy who is a proven commodity for God knows how many years now, and he still can't get the respectability even on a *discount* level to help him maybe sell a few more copies. I

Loam, the Intrepid. Pencils by Steven Ellis. Inks by Adam DeKraker. From VISUAL ASSAULT OMNIBUS.

"We're an independent, independents

can't even believe that, that after 20 fucking years of pounding the pavement you still can't get a better discount.

BRIAN: Has he talked to the distributors about this?

TODD: I think Dave talks to them a lot. But again, Dave is somewhat a single voice out there because he's fighting for *his* cause, and sometimes for *other* people's causes, so it's like he's a book that sells 20,000 copies— where's the clout in that? Well, help him out a little bit and he might sell 35,000. I don't know, maybe not, maybe it doesn't sell one extra copy, but give him equal footing with the other guys. They're basically telling him to put a cape on it and color it and maybe he'll get the A discount. They're discouraging anything else, discouraging people expanding the different tastes that are out there.

So, it's like it's black-and-white, it's more than two bucks, it's automatic it goes into this level. The computer blips and it's done. Image comic books, for as much as we look, feel and *smell* like Marvel comic books, we sat there for two years. I mean, luckily we beat Geppi pretty early in the game, but it was just announced at Capital that we're going to the A discount. Two years! We're going, "We look like Marvel, we feel like Marvel, we ship like Marvel, a lot of our books even *sell* better than Marvel." Why did it take us so long? Because in their computer we're an independent, independents gets *this* discount, end of conversation.

And retailers were yelling at them, going, "Hold on, we bought those books from Marvel because of some of these creative people. They've now just switched to another house and we're still buying them at the same volume, but just because of a little logo in the corner we're making 5% less? Where's the justice in that?" So, there's probably a good reason why **Geppi**, who's given us that discount for a year and a half, sells Image two to one over Capital. People see they can buy Image at Capital and get 50% off, or buy it over at Diamond and get 55% off. Given that we have a volume that fluctuated between 10% and 20% of the marketplace, 5% difference is a lot of cash.

Again, going back to this dream team that I'm talking about, this big umbrella that we all go under, the same thing would have to be a rationale on a bigger scale, that if we save ourselves 5% on every book that's under this umbrella, this 450 titles— that's a savings to my own store of $335. That pays the gas and electric for a month, you know. But again, like I said, the **Dave Sims** of the world haven't been able to break it. What hope does anybody else have?

DARREL: *One thing I was wondering, Brian, was earlier you said you were more or less in favor of Capital City's policies, and Todd's been referring to things as a war. So, in the great American tradition of likening everything to Nazi Germany: How soon are they going to be knocking at your door? How soon will they decide what to send you each week? We got away from the newsstand distributors by creating the direct sales market. A lot of the impetus for that was that the IDs, those distributors, really were controlling too much.*

BRIAN: But the thing is, the distributors really *do* control what goes into the shops by what they offer in their catalogs. If you look between the Diamond and Capital City catalogs you'll notice each one carries things the other doesn't. I can tell you from personal experience, when I was publishing as Bevson Enterprises I was not in the Diamond catalog simply because they did not like the format I was using, which was digest. They said it was difficult to rack, which I understand, and one time they said they didn't like the *art*

One of two lead characters from Doug Wheeler's & Bill Jaaska's sf/ fantasy/horror project.

"Dave Sim still has a lower discount than Image. I can't even believe that."

get this discount, end of conversation?"

in one of the books that I had submitted. Capital City *did* accept those books, and so did Friendly Frank's and Styx and Multibook of Canada.

When the distributors make judgments about what will go into a catalog, and what they will hype, they *are* making decisions *for* a lot of retailers, what they will buy. When the big catalogs are promoting ZERO HOUR this month, retailers are thinking, "Yeah, big event." Rather than using any *critical* judgment that might be necessary, they're going to order as many ZERO HOUR as their budgets will allow. And for some it will mean cutting a couple of copies of BONE off the draw sheet, or it'll mean not trying something different.

TODD: Actually, I've found that in those situations what they will do is they'll cut back THOR and DAREDEVIL. A lot of the times— and I think **Dave Sim** will bear this out— while we're cannibalizing the superhero market sometimes it doesn't really hurt his sales. Sometimes his sales even go *up!* SIN CITY, the same thing. The people who have suffered the most, really, from a lot of the glut, and a lot of the hype— it's pretty funny, Marvel has almost become their own worst enemy. They put out five new mutant books, it hurts DAREDEVIL and THOR and IRON MAN.

DARREL: *Right. They're eating their own sales there.*

BRIAN: That's true. I was just speaking in general terms of company versus company. But I know a lot of retailers who *do* think they've got to order as many Marvel comics as they can, as many DC or Image or whatever, and when they make the first cuts in their ordering it hits the smaller companies. Then, after a couple of cuts and they still haven't come within their budget, *then* they're going to go back and cut a couple copies of CAPTAIN AMERICA, a couple copies of BATMAN ADVENTURES, something that's not selling quite as well as other books from the same company.

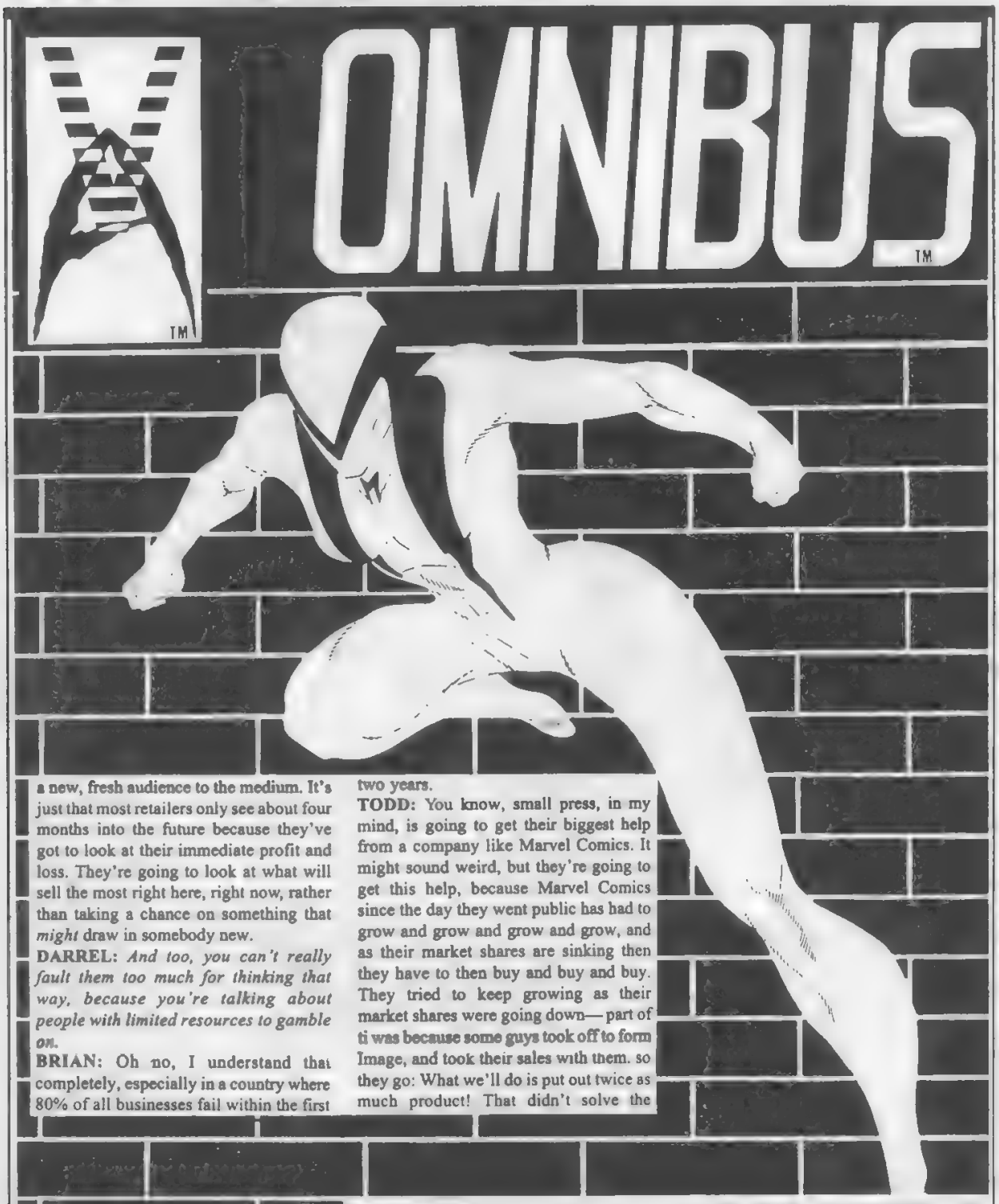
DOUG: Right, but it doesn't make *sense* for them to order that way, to take the first cuts from the independents in order to promote some mainstream book, because there are different audiences. Different people are buying those books. If you want to increase your orders on SPAWN or whatever and you decide to decrease your orders on something from Caliber Press, somebody was *buying* those Caliber Press books and maybe that person doesn't *care* to buy SPAWN. Maybe they increase orders on SPAWN that issue because there's something *special* going on, but the people who *are* going to buy extra copies of SPAWN, are going to buy SPAWN who wouldn't normally, *are* the DAREDEVIL readers, the THOR readers. Those are the titles that really should be in the *first* cut.

BRIAN: That's true. But there are a lot of retailers, and I know quite a few of them, that don't think long term. I think the long-term survival of the industry is built on books like SANDMAN and BONE and CEREBUS and ELFQUEST, books that are different, that can bring in

The other lead character from Wheeler's & Jasaka's sf/fantasy/horror

"The Dave Sims of the world haven't broken it; what hope does anyone else have?"

"Marvel's going to so *infuriate* this business,



a new, fresh audience to the medium. It's just that most retailers only see about four months into the future because they've got to look at their immediate profit and loss. They're going to look at what will sell the most right here, right now, rather than taking a chance on something that *might* draw in somebody new.

DARREL: *And too, you can't really fault them too much for thinking that way, because you're talking about people with limited resources to gamble on.*

BRIAN: Oh no, I understand that completely, especially in a country where 80% of all businesses fail within the first two years.

TODD: You know, small press, in my mind, is going to get their biggest help from a company like Marvel Comics. It might sound weird, but they're going to get this help, because Marvel Comics since the day they went public has had to grow and grow and grow and grow, and as their market shares are sinking then they have to then buy and buy and buy. They tried to keep growing as their market shares were going down— part of ti was because some guys took off to form Image, and took their sales with them. so they go: What we'll do is put out twice as much product! That didn't solve the

"Really, you guys in the small press are going to get a boost from Marvel."

retailers are going to support their enemies."

problem. So now they've gone *beyond* comic books. They've acquired a card company; they've acquired a toy company; they have their own Hollywood division in LA that Stan Lee heads up; and they're starting to get bigger and bigger.

Really, you guys in the small press are going to get a boost from Marvel. You know why? Because Marvel is going to think and act and do everything that big business does. You can count on them like clockwork. That's how corporate America goes. I'm not saying it's good or bad— it's a fucking *game* for *me* and I'll fight it every day— but they're going to get to the point one day where they're going to look at our community and say: The comics industry is too small. As soon as they bring that to the shareholders and the people on the line that could lose their job, that decision is going to be made.

One day Marvel Comics is going to do something that is going to so *infuriate* this business, the retailers are going to go: Marvel, we're going to start to support your enemies. At that point, in a weird kind of way, you'll get a big boost from the retailers, because Marvel basically *did* something, you know. It's kind of a stupid, sad thing that has to happen, that basically something that doesn't even remotely have anything to do with the small press, some decision from some suit, is going to turn the retailers into your friends someday, because they're just going to get *resentful*. I mean, it *seems* weird, but that's the *only* way that a lot of these stores are going to become your friends, basically to spite another company. Otherwise, you know, talking to them logistically, I just don't see where that actually really helps all that much.

DOUG: I don't really think that would happen. If Marvel eventually— and I would *hope* they *will*, they should have *years* ago— pissed off the retailers, all that the retailers are going to do is rush over to a different superhero company, Image or DC or Valiant or Dark Horse or whoever. They aren't going to come down to the independents that are publishing different material— they're just going to say, "Screw you, Marvel, we can get our superheroes elsewhere." And as far as

Lord Bell. Pencils by Ted Beargeon. Inks by Daniel hindes. From VISUAL ASSAULT OMNIBUS.

"Some decision by some suit is going to turn retailers into your friends someday."

"They basically said to the independents,

Marvel expanding into other arenas, while I think the stockholders would think that's a good idea, I just don't think anyone at Marvel has enough intelligence to realize that, that there's a bigger market out there. You look at their books, their books are really going down in quality. The writers, for the most part, stink. Their art is getting worse and worse. They have books now that look like they stole teams from Triumphant or Lightning, it's that bad! *(Laughter.)*

TODD: But if you think for one second that Marvel Comics isn't expanding, isn't *growing*, then you're not paying attention, bud.

DOUG: Oh, I know they're growing, but they aren't growing into areas that are not superheroes.

TODD: That's right, they're cannibalizing some of their own things, but they're also starting to go: We'll buy a video company; we'll make our own movies. They're now getting into syndicated cartoons because there's money to be made *there*. I'm just saying they're going to get to the point where they will ignore what drove them in the first place, which was those comic books— and to some extent they *have*, judging by the quality of some of their stuff. If you think they're going to stay in this little community, guys, I'm telling you *I'm* not going to stick around in this little community forever *myself*. I'll still have stuff in this community, but I see a world beyond the walls that we call the comic-book community. I see the rest of the world. If I've got a character that I can get out to the rest of the world, part of being a creator is . . . as small-press guys you're arguing because you want more sales, because you want more exposure, because we all as creative people want to *expose* what it is that we create to as wide an audience as possible, on some level to show our *art*, to show our *art!* So, if I see that the world out there is willing to take my product, I'm *going!*

I'm just saying that Marvel is going, Marvel is *gone*. They're going to be there by the year 2000, because their stocks have proven that they have to continue to grow, continue to get market shares, because otherwise the big suits are gonna get fuckin' *fired*. The guy who owns Marvel Comics *borrows* against the stock price every single day, and if the stock is going down, like it is right now, his portfolio is going down and down and down. If he wants to start another huge conglomerate, some video game company, and he needs to borrow half a million, but his portfolio was worth $600 million three months ago and now it's only worth $200 million, so the bank says no, he doesn't give a fuck about firing the suit at Marvel Comics. So, their game is already gone; they're into a gear that can't be slowed down on any kind of level. They are going to go and reach out into the world as deep and as far as possible. Because they're a public company that's the only thing that they can do it, is to go out to the world.

So, they're going to do is all a favor someday. They *started* doing us a favor when they went public two years ago. They were the impetus of why Image Comics was created, because the day they go public is the day that I go, "Guys, it's time to band, because if they do anything that's illegal, or lie, or anything else, all's we have to do is have 100 stocks and we can go to the board meetings and stand up and give our grievances. Marvel Comics does not want **Todd McFarlane** to be in their stockholders meeting, so they're just going to have to just fucking let us go, and they can't pull their lies and their cheats that they have been pulling for 50 years." Marvel Comics is suffering because of that public offering. That company is not the company that it was three years ago. Marvel put out some pretty dazzling comic books on the superhero level, but I can't really say that right now.

BRIAN: Well, I have another appointment I really have to be at.

DARREL: *Okay. So, just to kind of bring this all together, wind this down—*

BRIAN: The party doesn't have to stop just because I'm going.

TODD: No, you're the linchpin! *(Laughter.)* When you go, we fall.

BRIAN: No, you've got to fight to the last man. *(Laughter.)*

DARREL: *But without a retailer what good is anybody? (Laughter.)*

BRIAN: I feel so important.

DARREL: *Anyway, to bring this back to where we started, with Capital City's policies: I question whether this cancellation fine is legal. You're fining publishers for not selling you their own product? In their second letter from March they defined this one-strike, two-strike, three-strike thing, which sounds to me like the 90-day grace period*

"The $500'll get rid of all these small guys buzzing around and bothering us."

'We're gonna kill you later.'"

wearing a different name, basically.

DOUG: But once you've made your three strikes that's it, it's three strikes forever.

DARREL: *Is it?*

DOUG: Well, the way I heard it— I haven't seen this letter—

DARREL: *Well, it's hard to figure out.*

DOUG: What I've heard from the independent publishers is they think it's three strikes for anything by them; it doesn't have to be the same book.

BRIAN: That's the impression I got, that if you put out so-and-so #1 and it ships three months late, that's strike one. If you put out #2 six months late that's strike two. And if issue 32 is also late— which it would be if it was solicited on a regular schedule— then that would be your third strike.

DOUG: And it could be on different books?

BRIAN: Yeah, from the same publisher.

DOUG: Right, so all they basically did was they said to the independents, "We're gonna kill you later."

BRIAN: Yeah.

DOUG: We'll give you a little grace period to live, then we're going to kill you later. Again, the $500 fee is too much for small press to pay. It's like chump change to the largest companies—

BRIAN: And that's where it's probably going to fall, when Image and DC and Marvel say, "You want to fine *us?* Try filling your catalog without our products."

DOUG: Yeah, but what large publisher in the right mind would actually do that? If Marvel decides Capital isn't going to distribute Marvel product, that means for several months until all the retailers find out about this and *switch* to another distributor, Marvel is going to lose an awful lot of money from not getting all those orders. And, as Todd was saying, Marvel is a publicly-held company. The stockholders aren't going to stand for that. But $500 is chump change— they'll pay it. Also, to Marvel and DC and whoever, they might say, "Sure, we'd like to see everyone pay that $500 fee, including us, because it ain't gonna hurt us and it'll get rid of all these small guys that are buzzing around bothering us."

BRIAN: I guess it would depend on who was running Marvel at the time, the stockholders or whoever.

DOUG: The stockholders ultimately run everything.

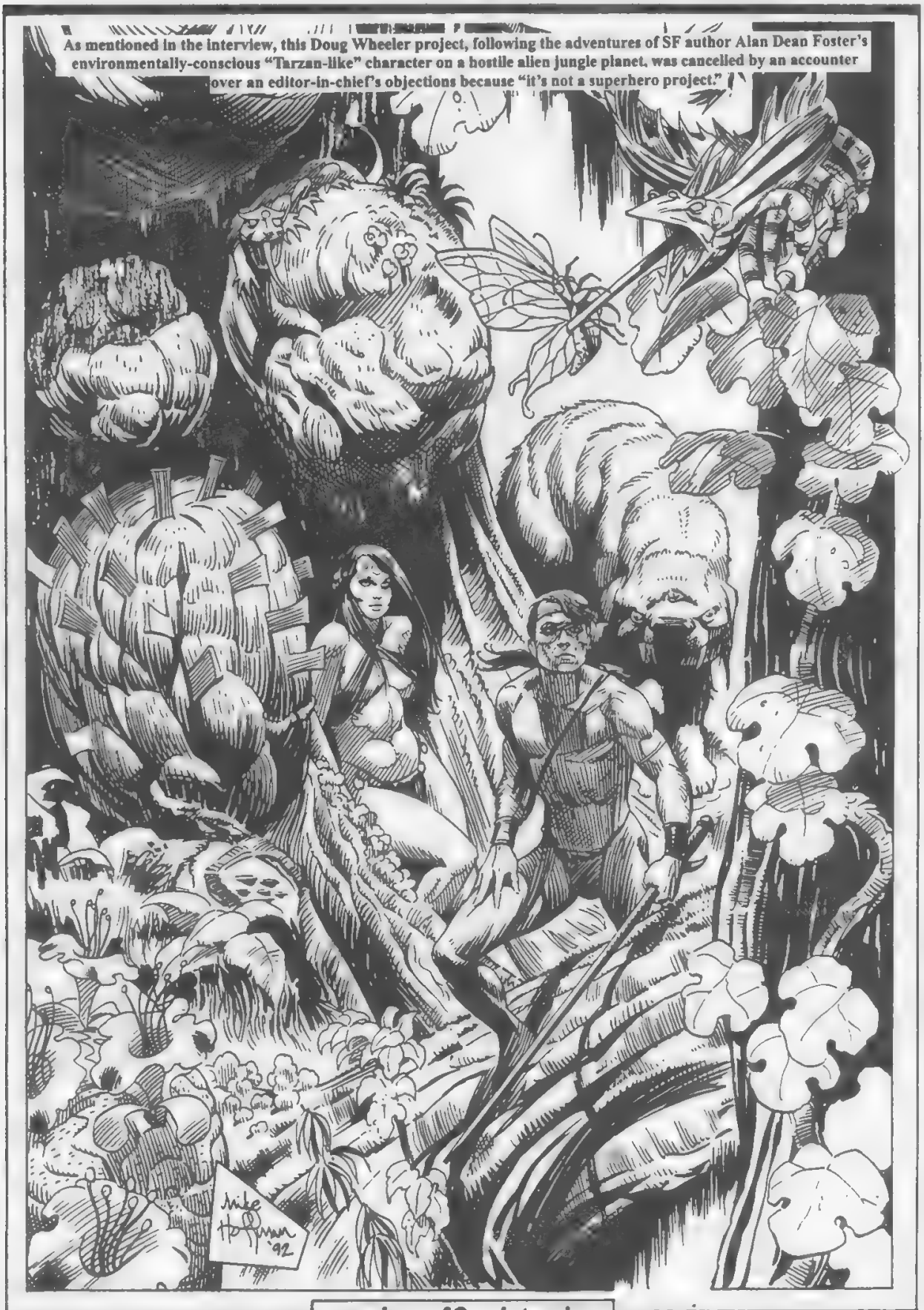
BRIAN: That's true.

DOUG: And I've heard stories from people who were doing stuff for Marvel, or submitting stuff to Marvel, that it is no

Mindset. Art by Steven Ellis. From VISUAL ASSAULT OMNIBUS.

"The $500 fee's too much for the small press. It's chump change to the large companies."

"Those that *are* catering to the independents


As mentioned in the interview, this Doug Wheeler project, following the adventures of SF author Alan Dean Foster's environmentally-conscious "Tarzan-like" character on a hostile alien jungle planet, was cancelled by an accounter over an editor-in-chief's objections because "it's not a superhero project."
Mike Hoffman '92

— those guys all deserve medals."

longer the editors who make the ultimate decision. The editors will say they'd like to do this series but then they have to take it to the accountants, and if the accountants don't want it done it takes a banding together of the editors to override it. It takes a huge effort. And I know there are other companies where the accountants can actually shoot down things that editors-in-chief want to do. I myself had something that I had negotiated with an editor-in-chief, and it took us a couple of months to work out the contract, and we were ready to sign it, and then the accountant said, "Wait, no, this isn't a superhero title. We can't do it." The *accountants* cancelled that series.

BRIAN: Yeah. I—

TODD: You're using accountants as, like, suits, right?

DOUG: Right.

BRIAN: And that's where part of the problem is, that as long as the "suits," as Todd calls them, are running the show and just putting out more of the same thing that they know will sell, and the distributors keep picking up and promoting the same thing that they know they can push, and the people who are coming into this industry give the publishers, who are already thinking along these lines, nothing but the stuff that they want to see. Nothing exceeds like success.

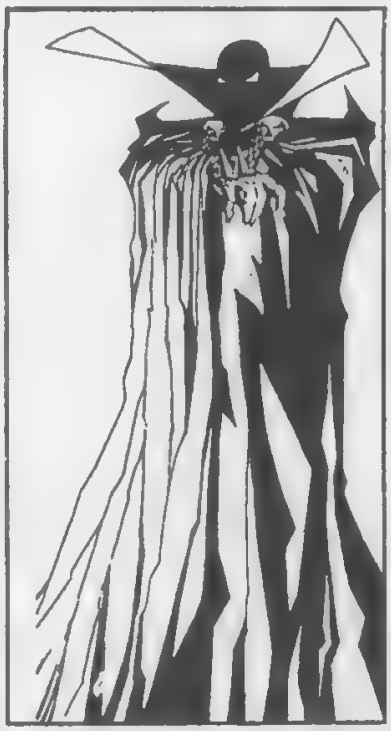
DOUG: Right. And you look at the retailers, look at how they ordered Lightning and Triumphant. Both of those companies put out absolutely *abysmal* lines, and yet the orders on those two companies are *much* higher than the products of the black-and-white independents. Caliber Press, it's highest-selling title is NEGATIVE BURN; it sells around 6,000 copies. I believe both Lightning and Triumphant are doing at least double or triple that. But compare the quality— there's no reason for it.

BRIAN: True, but then again in my area I'm also seeing a lot of Lightning and Triumphant products in salvage bins. I think that the marketplace eventually can even these things out— but only if enough good projects are given the support that they deserve.

TODD: On some level, too, we have to deal with the reality of the fact that the majority of the people want superhero stuff.

BRIAN: In our world, you mean.

TODD: Yeah. Whether that's right or wrong, it just is. SANDMAN has won 80 zillion awards and it still only sells 70,000 to 80,000. It may not seem like it to you guys, but to me that's a small number. SANDMAN is considered the biggest, best off-center book that's out there. 70,000 to 80,000 in sales is not a very encouraging thing in the big scope of things, you know what I mean? A guy who's selling 5,000 would take half of that and be happy, but what I'm saying is in this marketplace even the biggest of the best is still selling at only a fraction of it. Since the majority of the customers are those kinds of customers, then unfortunately you're going to cater yourself to those customers that are basically putting the money in your pocket.



Those ones that *are* catering to the independents, those guys deserve medals. You can almost count them on two hands, across the country, the guys that can literally make a living and say, "Shove it up your ass, superheroes." They've been able to tap into something.

I used to get stuff from DC; they used to spend big bucks on their marketing and stuff like that: "This is the average age of the Vertigo people, this is the average age of the SANDMAN people, and this is their college background, this is how many cars they own." They had everything that you would want to know except the one factor that creative people *also* need, because we each make our own decisions of what products we want to do— how many of them are there? If you tell me there's only four of them, I don't *care* what their average income is, because even if I nail all four of them I still can't make a living. They got a lot of information but they didn't tell us *how many* of these buying creatures are out there. That's important to know. As a creative person you have to sit there and make decisions. A: There's not enough of them out there to make me a living. B: I'm going to have to change what I'm putting on paper so I can make a living. Both of those are viable choices— just get out or change.

DOUG: Or do it anyway.

BRIAN: That's true.

TODD: Yeah.

BRIAN: Gentlemen, I hate to run but I really have to go. I have to go find some people and push copies of NEGATIVE BURN and SPAWN. *(Laughter.)*

TODD: Do it!

BRIAN: It's been a pleasure.

DARREL: *Just to bring this all home, it seems to me that, right or wrong, Capital has—*

DOUG: Wrong. *(Laughter.)*

DARREL: *— Capital has pointed to a problem that really does need to be addressed, and ultimately the problem is the lack of good business sense that seems rampant, endemic, through all levels of this industry. It's not just the retailers, it's not just the publishers, it's the distributors, too. You go into the stores and they're not trying to reach any other audience . . . I mean, how much money can you pull out of the presold superhero audience? That's all they seem to want to do, is get more and more out of those same people.*

TODD: Yeah.

DOUG: The problem . . . when we were talking about who is buying these things, it's not really who are the customers so much, at least for the independents— it's who are the retailers? I believe that there are retailers who *could* be selling these things but they do not *buy* any copies, and so their customers never *see* any copies to pick up off their shelves.

DARREL: *Right.*

DOUG: That's a big part of the problem for the independents. The independents do need to break out into the "real world" where the general population would be more accepting of the type of material

"Right or wrong, Capital has —" "Wrong."

The Fee: "If we don't keep reminding people,

that they do. The problem is that they don't have the cash flow of the larger companies. And the larger companies look at it as why should they spend the money to make the break-out? They want to hold back and just make money and wait for one of the little guys to somehow miraculously break out, and then they'll clone whatever is successful there, follow them and drown them out. I really think that's the attitude.

TODD: That's pretty close. That's pretty close in almost every business, really. If you're not the first guy out then, you're right, make a knock-off and be the second guy out there. But again, then we get back to the question: What is the answer? Is there even an answer? The setup is that if you can't promote it, and you're going to big business to ask them to promote it— because those distributors are in big business— then you're bucking against a system that doesn't think in the same way of doing it just because you're a nice guy.

STRIKE THREE — PONY UP!

by Darrel L. Boatz

There seems to be some confusion about the three-strikes policy Capital City has come up with. So, here is my understanding of it, based on Capital City's March 15 letter.

First, Capital City defines a standard called "minimum standard of timeliness" where if a company maintains its production at or above that standard it will not face cancellation, resolicitation or returns penalties. A company's "standard of timeliness" is determined by Capital City to be "the percentage of products solicited by [the company] released within their solicitation month plus grace period" (presumably an issue from a previous month which is overdue and which hasn't been cancelled would factor into this somewhere).

In other words, if you solicit ten books for the month of August, then you actually supply Capital City with nine of those books on the dates solicited plus 30 days (or 45 days for "non-core comic product," whatever that means), your standard of timeliness for the month of August is 90%, not taking into account any overdue books from previous months which if you either shipped or cancelled them within the month of August would factor out, but which if neither shipped nor cancelled would factor in and drop you lower than 90%.

However, Capital City also defines a standard called "timeliness percentage standard" for which, as with the "minimum standard of timeliness," no ratio is given to indicate what is actually considered a bad ratio, but which unlike the "minimum standard of timeliness" has no defined computability in any statement made in the letter, unless what they mean by "timeliness percentage standard" is taken by them to be understood to be inherent within the "three strike" structure. Or else "timeliness percentage standard" is intended to mean the same thing as "standard of timeliness," which it probably does. *Whew!*

Capital City promises that the "timeliness percentage standard"will be "set at a level most [publishers] have met most months." What I take this to mean is Capital City would study the on-time versus overdue productivity and cancellation rates of all their "suppliers" (as they refer to the publishing companies) with the intent of establishing backwards the "minimum standard of timeliness" ratio so that those companies which hadn't contributed to the problem of late books would not have to worry about getting three strikes, that the penalties would only fall on those companies which "consistently release [product] long after the scheduled release dates."

So, what about the three strikes? Basically, publishers get a strike any month they don't satisfy the ratio, and they can only acquire one strike per month. And they can only acquire strikes during months in which they fall under the ratio in which they have product due past the grace period. If a publisher has no product due or overdue for a particular month, that publisher cannot acquire a strike for that month, although that publisher may have acquired a strike during the previous month; this can occur only if the publisher has now cancelled the product which drew the strike during the previous month, and presumably any strikes on a publisher shall carry through any month during which the publisher has no product due or overdue, neither increasing nor decreasing. Finally, any publisher whose productivity then rises back to or above the ratio shall cease to acquire strikes, and the strikes acquired shall be wiped out.

This last I take from two sentences in the letter —

"Suppliers that have three *consecutive* months in which they receive a 'strike/ will be . . ." and —

"The fees will continue to be imposed until the timeliness percentage climbs back to the standard."

I put the emphasis on "consecutive" and assume logically that it only applies to consecutive months with solicited product, that months without solicited product factor out as if they do not exist. I take these two sentences combined to mean that all strikes would be wiped from a publisher's score whenever that publisher's productivity rises back to the ratio. So, the rumors that a strike is permanently on a publisher's record seem to me to be a complete misunderstanding. On the other hand, I may be completely misunderstanding all this stuff, so please don't take this to be written from a position of total comprehension — as the letter presumably was.

So, what makes this unfair is that a small company which has only one title can only have a score of 100% or 0% in any given month. A company such as COMICS INTERVIEW, for example. We may put out special product from time to time, but in the main we have one monthly title, COMICS INTERVIEW magazine. That's our regular bit.

What also makes it unfair is that a large company with a lot of product coming out every month can, unless the ratio is set at 100%, have any number of books late at any one time and still produce enough to satisfy the ratio — meaning that DC and Marvel might never get even one strike simply by virtue of their size.

And that means, in terms of the problem the whole thing was intended to solve, it won't work; it's basically the same as the 90-day grace period in terms that the same problem can continue to exist under the three-strike policy. The problem has been defined as late books, but that isn't really the problem. What the problem really is, *is late books that tie up a lot of retailer revenue.*

And if the big boys can continue having late books then a lot of retailer revenue can continue to be tied up.

I'll give the Capital City guys high marks for effort, and for addressing a problem that did need to be addressed, but this three-strike policy as they have constructed it is a wash.

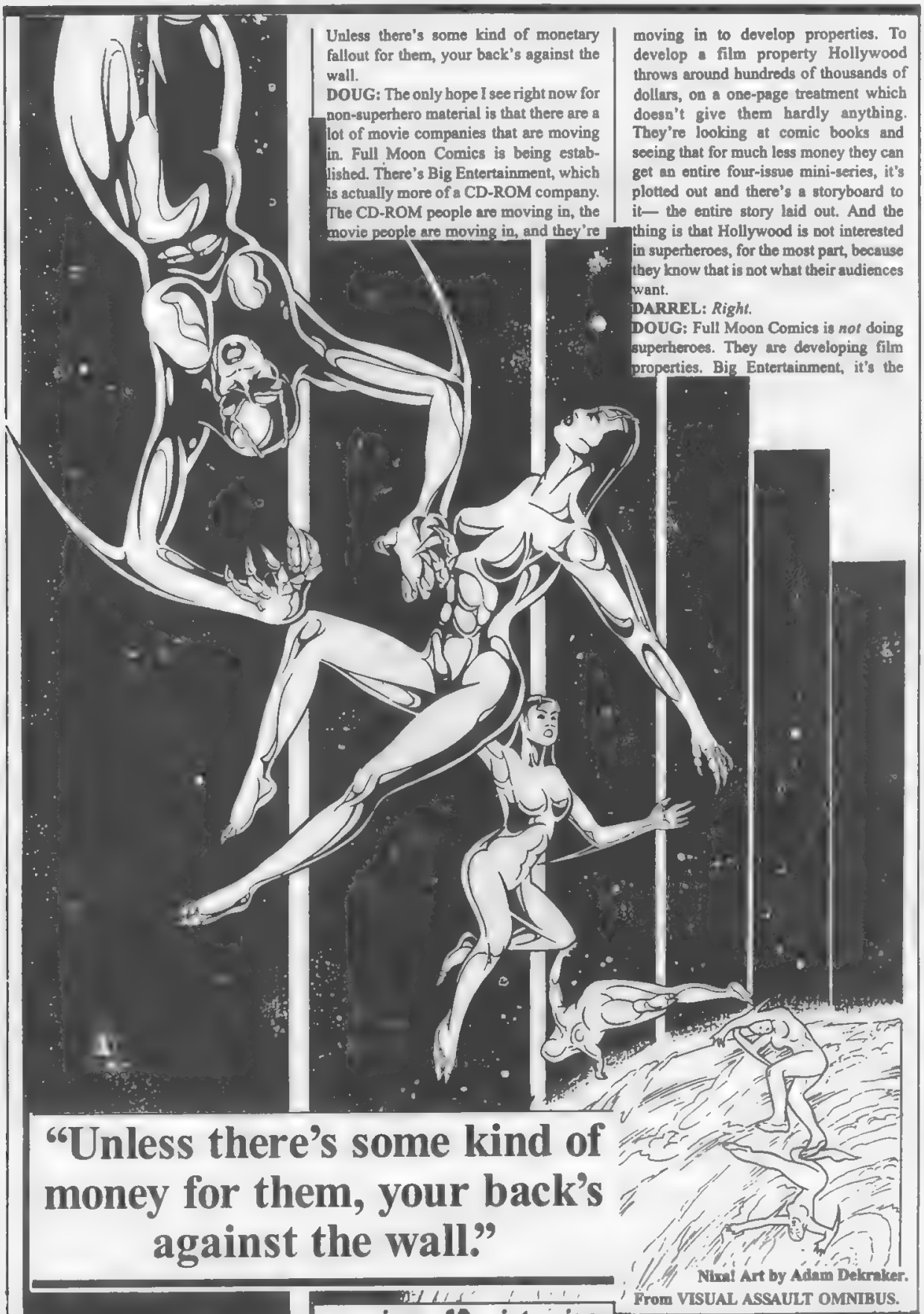
Capital City is going to get away with it."

Unless there's some kind of monetary fallout for them, your back's against the wall.

DOUG: The only hope I see right now for non-superhero material is that there are a lot of movie companies that are moving in. Full Moon Comics is being established. There's Big Entertainment, which is actually more of a CD-ROM company. The CD-ROM people are moving in, the movie people are moving in, and they're moving in to develop properties. To develop a film property Hollywood throws around hundreds of thousands of dollars, on a one-page treatment which doesn't give them hardly anything. They're looking at comic books and seeing that for much less money they can get an entire four-issue mini-series, it's plotted out and there's a storyboard to it— the entire story laid out. And the thing is that Hollywood is not interested in superheroes, for the most part, because they know that is not what their audiences want.

DARREL: *Right.*

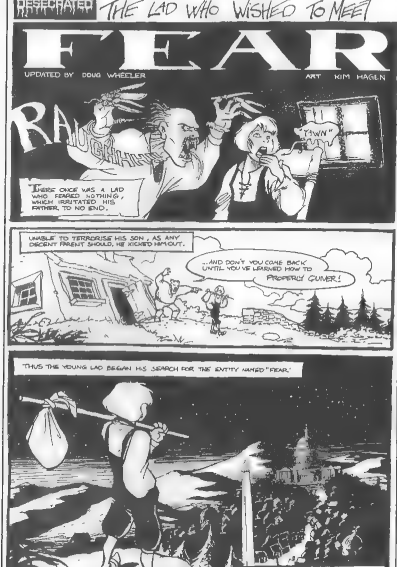
DOUG: Full Moon Comics is *not* doing superheroes. They are developing film properties. Big Entertainment, it's the



"Unless there's some kind of money for them, your back's against the wall."

Nixa! Art by Adam Dekraker. From VISUAL ASSAULT OMNIBUS.

"If Capital can collect, we'll have fees from Diamond, Heroes, etc. — small publishers are killed."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ART KIM HAGEN
RAOOO

READER RESPONSE NEEDED!

Now that you've read this issue, and have been exposed to all these divergent points of view — how do *you* feel about what's going on in the comics industry? Please fill out the survey below, and send it to COMICS INTERVIEW ROUNDTABLE, 234 Fifth Ave. Suite 301, New York, NY 10001, or fax your response to (706) 782-6625. Thanks very much.

Name _____

Address _____
(state may be used in compiling data)

Age _____ Sex _____ Race _____ Occupation _____

Where do you get your comics? (check all that apply)
Direct retailer(s) ___ other retailer(s) ___ subscriptions ___ subscription service(s) ___ mail order ___ other _____
(if more than one, indicate approximate percentage by title from each

What comic-book fan/trade publications do you regularly read? _____

How much, on average, do you spend on comics per month? _____

What are your main reading/viewing interests outside of comics? _____

_____

Would you support more comics being published towards those interests? _____

Which interests? _____

Would you support or oppose comic books being published which would not suit your own interests? _____

If you think it is possible for the comics industry to attract new readers, to break out and be more a part of mainstream America, how do you see that happening? _____

_____

Could that happen only by going outside the direct sales market, or could that happen via the direct sales market? _____

How would the publishers, distributors and retailers have to change how they operate in order to facilitate such a change? _____

_____

Could superhero fandom coexist with a mainstream American comics readership? _____

What percentage of current non-superhero comics currently being published (of those you are familiar with) do you think would be of interest to an audience not currently reading comics? _____

Name one. _____

What do you think the majority of Americans are interested in from other media? _____

_____

If you were a publisher seeking to attract a mainstream American audience, what sort of comics would you publish? _____

_____

If you were a comics retailer what would you do to try and get non-comics readers into your shop? _____

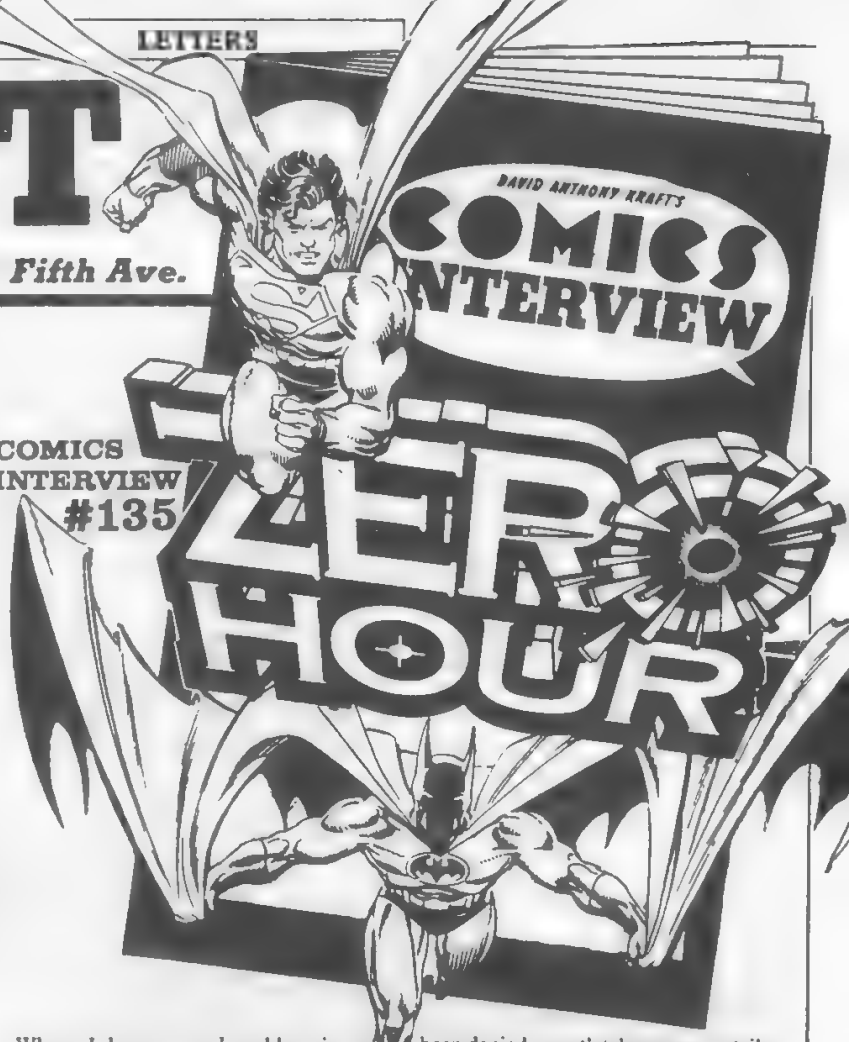
_____

Would you like to see COMICS INTERVIEW do more roundtable discussions like this issue? _____

Please give this to a non-comics reader and have him/her answer all questions not requiring knowledge of comics.

LAST

Comics Interview 234 Fifth Ave.



CAPITAL'S "CLIMATE OF FEAR"

Dear DAK;

Thought I'd jot down a few thoughts concerning the stuff I was just typesetting for you. Since this is a "theme" issue, I'm going to send it along in time for inclusion in #134, rather than do the polite thing and hold it until everybody else gets to see the issue.

Somewhere in the discussion that forms the bulk of this issue, **Brian Morris** opines that the current distributor situation will facilitate a kind of Darwinism, in which the fittest publishers will survive. I submit that what will occur is not survival of the fittest, but survival of the *fattest.*

The recent changes in distributors' policies seem so perfectly suited to making it impossible for the little guys to survive, it's almost as if they're *designed* to eliminate all but the top half-dozen or so publishers, so the distributors won't have to deal with the riffraff anymore. Then they can cut down on their paperwork and lay off a bunch of employees.

Did I use locutions such as "almost" and "as if" in that paragraph? My goodness, how cautious and constrained I've become in my old age!

Look, I have no problem with penalties for late-shipping product. I have no problem with *financial* penalties for it. We've *all* got to act in a professional manner, for the good of the industry as a whole. It's just that the particular *form* in which the penalties were instituted seems designed to be shrugged off by the *big* late-shipping publishers, who are tying up mega-bucks of retailers' operating funds — while imposing a *devastating* burden on the ones so tiny they couldn't make a significant dent in a retailer's bottom line no matter how hard they tried.

Obviously, the policy must be changed — if, indeed, it *is* aimed at making things run more smoothly for all rather than simply at eliminating a bunch of pesky small suppliers that a major distributor might very well consider more trouble than they're worth.

I think the suggestion of gearing the penalty to the number of copies ordered makes a lot of sense. After all, the damage caused by late-shipping product varies in proportion to the amount of money it ties up. Why shouldn't the penalties?

Where I have a *real* problem is in imposing penalties for items cancelled for lack of orders. I mean, geez, suppose a guy calls me on the phone and tries to sell me something, and I don't want to buy. As annoying as I consider it for this guy to take away a little piece of my work day and break my concentration on what I'm doing, I *don't charge him money* because *I* declined to buy from him! Having people try to sell me stuff I don't want is *just part of the cost of doing business.* People who do business in a professional manner simply put up with it— they don't try to chisel off of somebody whose only crime is to ask them if they want to buy something.

In every other industry in the world, suppliers are allowed to cancel products that can't be manufactured profitably, without penalty. I thought the comics industry was evolving toward a reasonable level of professionalism, but this is a big step backward.

Again, this policy seems "almost as if" it were *designed* to create a climate of fear among small publishers, to have what lawyers call a "chilling effect" on experimental, marginally profitable publishing.

Well, *I* find it chilling, anyway. I wonder how many creators have already been denied an outlet, how many retailers have already been denied a small but not-unwelcome extra buck or two, how many readers have already been denied a rewarding experience, how many potential commercial successes have already died aborning— all this, because small publishers are *afraid to solicit* products that they aren't *absolutely sure* will sell. These new distributor policies may already have aborted the next TEENAGE MUTANT NINJA TURTLES — or worse, the next BONE..

I have a suggestion. Suppose small publishers specify a minimum distributor order for their product, below which *they* reserve the right to cancel on the *distributor,* without penalty to either side.

Seems reasonable, but of course the distributor might seek to levy its fines by withholding payment for future products. That's why this plan will work best if the publisher happens to be located in a state where the distributors maintain warehouses. Then, a good case can be made that local courts have jurisdiction; and since the fines are well within the range of small-claims court in most areas, the publisher could *sue* the distributor without too much legalistic rigmarole.

Of course, the *big* questions, like anti-trust and restraint of trade, won't be

decided in small-claims court— but after a few instances of having personnel tied up in court for half a day, the distributors might begin to realize that they're going to *lose* should those big questions ever come up.

Now, one should never ascribe to malice what can be explained by incompetence. Maybe the distributors aren't *really* out to swat the small publishers like flies, but have adopted an impossibly wrong-headed and counter-productive policy simply because they don't know any better. That's why I want to share a little story with you. I'm not going to mention any names, and have obscured (without falsifying) some of the details, because the person the story is about is *afraid of what the distributors will do* if that person criticizes them too openly.

Seems somebody I know runs a small line of low-circulation comics. For one of them, there's been some trouble getting the creative work in on time, and therefore it's sometimes in danger of shipping late. No problem, you say— just don't solicit until the work is in hand. And indeed, that is what my friend does.

Unfortunately, in some of the early publicity for this comic, the publisher mentioned a frequency for it. One major distributor waited what it thought an appropriate number of months after one issue, then put the next issue in its catalog *without having received a solicitation from the publisher!* Since the artwork was not yet in hand, this caused considerable scrambling to get it finished in time — but the worst of it was that as a result of one distributor acting as though a solicitation had been received when it had not, the publisher had to go to press *before* getting orders from the other major distributor.

Kind of hard to set your print run under such circumstances, isn't it? And it's kind of hard to stay in business if you can't set your print runs correctly.

If this were mere incompetence, the publisher could simply have pointed out the error and it would have been straightened out. The distributor would have held the publisher to the phantom solicitation only if it were really interested in driving the publisher out of business.

The distributor held the publisher to the phantom solicitation.

You know, the way the industry is buzzing, I'm surprised we're not seeing more letters on the subject in CBG.

Do you suppose there's something *else* going on here? That maybe Capital City is secretly over-extended and on the verge of bankruptcy, and this is a last-ditch effort to squeeze out cash flow on the way down? I hope not! As badly as the distributors behave while there's still a modicum of competition between them, I'd sure hate to see one of them achieve a virtual monopoly!

Don Markstein
14836 N. 35th St.
Phoenix, AZ 85032

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Dear Fictioneer:

Enclosed is my check for seven COMICS INTERVIEW SUPER SPECIALS. Thank you for creating such an excellent value for collectors of your back issues.

Ian D. Carroll
1306 Mayflower Drive
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Readers may recall a letter from Tim Spark in our last issue, and subsequent comments, in print, from me.

When I said we get tremendous fan response to our SPECIAL EDITIONS and SUPER SPECIALS from folks interested in our back issues, I meant it. This is just one example of the kind of letters we get all the time from readers who want to pore over interviews with their favorites from the pages of previous issues, in search of words of wisdom.

Speaking of the sheer amount of solid, practical advice and sometimes surprising insights into the comics industry that have appeared here in our past 12 years of publishing interviews with *the pros* by *the pros — look for the* piéce de resistance, *coming soon to a comics shop near you: HOT TIPS FROM TOP COMICS CREATORS. (Of course, you can also order a copy directly form us.)*

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In short, we're proud of the book, we believe it's a truly essential research and reference work and we think you'll agree that it belongs on the bookshelf of every serious comics student or aspiring creator.

— Julia Mather

AN OPEN LETTER TO BATMAN MOVIE BIGWIGS

Editor -

This is an open letter to the director and producers of BATMAN FOREVER, the third installment of the Dark Knight's film series. I am thrilled to learn that D.A. Harvey Dent will be back (and played by **Tommy Lee Jones,** no less), and I am very grateful that Robin the Boy Wonder will finally be introduced. I am intrigued to see who will be cast as the love interest, Chase Meridian, a criminologist who becomes obsessed with the Batman, and how that relationship unfolds and develops. I hope **Michael Keaton** will agree to play the superhero he has clearly made his own once more.

But I also have a few problems I'd like to see resolved in a different direction than the one they are gravitating to. First, who will play Robin? I have heard all types of rumors, from **Macauley Culkin,** to **Gary Coleman,** to **Chris O'Donnell.** I heard you are looking for an unknown. If that is so, I urge you to please go to real circuses and find an authentic teenage aerialist. If you want an established actor, please consider **Leonardo DiCaprio.** He is an excellent actor. He looks to be the right age, and he has an uncanny resemblance to **Bob Kane's** drawings of Dick Grayson.

As for the Riddler, I really do not want to see **Robin Williams** play that part. I just cannot picture him as the Riddler. I fear he could be the wild card that will spoil an otherwise excellent film. I think the perfect actor to play Eddie Nigma is **Micky Dolenz,** who has been lobbying for the role. He has an insane personality with an edge, yet doesn't go overboard, that would be perfect for the villain. He's a well-known star, yet not so big that the audience would not see the character. He is perfect for the Riddler, period. Other good choices are **Christopher Lloyd, Bill Murray, Charles Grodin** . . . but Micky would be the best. Please consider casting him as the Riddler.

BATMAN FOREVER, with the first on-screen appearance of the Dynamic Duo, the return of Harvey Dent, and the most likable (?) of all villains, is sure to be the biggest motion picture event of the century!!! Good luck!

Lee Solomon
2839 Marlbank Dr.
Sterling Heights, MI 48310

By now, Lee, you've probably heard that Robin will be played by Chris O'Donnell and (you can relax now) that Robin Williams is out and the Riddler will be played by Jim Correy, of THE MASK.

- DAK

INTERVIEW welcomes your thoughts and comments in the Last Word. Send your correspondence to: DAK, COMICS INTERVIEW, 234 Fifth Ave., Suite 301, New York, NY 10001, or fax your letter to (706) 782-6625. Please include your name and address.

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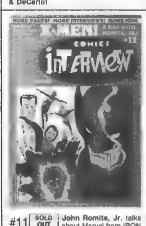

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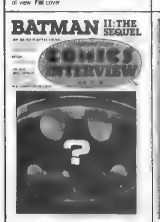

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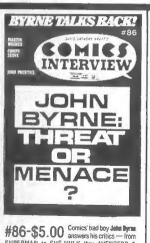

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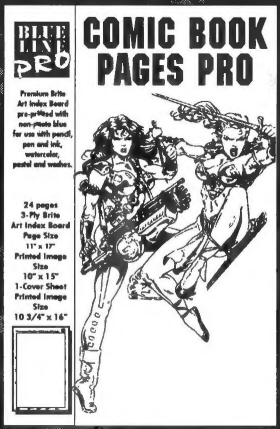
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